United Nations A/HRC/25/55/Add.3

General Assembly

Distr.: General
3 March 2014

Original: English/French/Spanish

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Report of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya

Addendum

Observations on communications transmitted to Governments and replies received*

* The present document is being circulated in the languages of submission only, as it greatly exceeds the word limitations currently imposed by the relevant General Assembly resolutions.

GE.14-11563

1411563

Please recycle

Contents

	Paragraphs	*Page*
Introduction	1-5	5
Algeria	6–14	5
Angola	15–18	6
Argentina	19–20	7
Armenia	21–22	7
Azerbaijan	23–34	7
Bahrain	35–47	9
Bangladesh	48–57	10
Belarus	58–64	11
Belize	65–66	12
Botswana	67–69	12
Brazil	70–77	13
Cambodia	78–80	14
Cameroon	81–87	14
Canada	88–92	15
Chile	93–94	16
China (People's Republic of)	95–113	16
Colombia	114–128	18
Costa Rica	129–130	20
Cuba	131–137	20
Czech Republic	138–139	21
Ecuador	140–142	22
Egypt	143–157	22
El Salvador	158–159	24
Gambia	160–164	24
Georgia	165–166	25
Greece	167–168	25
Guatemala	169–181	26
Haiti	182–186	27
Honduras	187–195	28
Hungary	196–197	29
India	198–205	29
Indonesia	206–209	30
Iran (Islamic Republic of)	210–217	30

Iraq	218–221	31
Israel	222–227	32
Kazakhstan	228–234	33
Kenya	235–246	34
Kyrgyz Republic	247–248	35
Lao People's Democratic Republic	250–255	36
Libya	256–258	37
Macedonia, the former Yugoslav Republic of	259–262	37
Malaysia	263–274	38
Maldives	275–276	39
Mexico	277–287	39
Moldova, Republic of	288–290	40
Myanmar	291–305	41
Nepal	306–313	43
Nigeria	314–318	43
Norway	319–320	44
Oman	321–323	44
Pakistan	324–332	45
Paraguay	333–337	46
Peru	338–340	46
Philippines	341–345	47
Qatar	346–347	47
Republic of Korea	348–354	48
Russian Federation	355–366	48
Saudi Arabia	367–377	50
Serbia	378–379	52
Sierra Leone	380–381	52
Singapore	382–383	52
Somalia	384–388	52
Sri Lanka	389–397	53
Sudan	398–406	54
Sweden	407–408	55
Syrian Arab Republic	409–416	55
Thailand	417–422	56
Tunisia	423–424	57
Turkey	425–431	57
Uganda	433–435	58

Ukraine	437–441	59
United Arab Emirates	442–452	60
United States of America	453–455	61
Uzbekistan	456–460	61
Venezuela (Bolivarian Republic of)	461–467	62
Viet Nam	468–479	63
Zambia	480–483	64
Zimbabwe	484–491	65
Other	492–493	66

Introduction

1. The present document is submitted by the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya, to the Human Rights Council, pursuant to resolution 16/5 of the Human Rights Council. The document provides observations on the communications on specific cases addressed by the Special Rapporteur to States, as well as observations on the replies received from States.

2. The cases raised by the Special Rapporteur in this addendum include communications sent between 1 December 2012 and 30 November 2013.

3. The addendum contains observations on the communications and responses received from States until 31 January 2014. A small number of replies received before 31 January 2014 could not be included because translation of these documents was not available at the time of finalising the report. Most of the responses by States refer to cases raised by the Special Rapporteur during the period December 2012 to November 2013. However, responses received during the reporting period to cases addressed by her in earlier reporting period have also been included. These communications are marked with a footnote in the text.

4. For ease of reference, cases have been grouped by country, with countries listed alphabetically according to their names in English. Each communication is referenced in one of six categories: urgent appeal (UA), allegation letter (AL), other letter (OL), joint urgent appeal (JUA), joint allegation letter (JAL) and joint other letter (JOL). This is followed by the date the communication was issued, as well as the case number and the date of the State's reply. The electronic version of the present document has both of these items hyperlinked, and clicking on them will open the communication sent and the reply from the concerned State, respectively, as uploaded on the OHCHR website. Finally, in bold, is a short reference to the allegations contained in the communication in the language of submission.

5. The Special Rapporteur is grateful to all States which have transmitted substantive responses to her communications. She considers response to her communications as an important part of cooperation by States with her mandate. She trusts that States who have not provided substantive responses to her communications will do so shortly.

Algeria

6. JUA 31/08/2012[1] Case no.: DZA 3/2012 State reply: 26/03/2013

Allégations d'arrestation et de harcèlement d'un défenseur des droits de l'homme.

7. JAL 22/11/2012[2] Case no.: DZA 4/2012 State reply: 26/02/2013

Allégations de restrictions illégitimes à la liberté d'association.

8. JAL 07/03/2013 Case no: DZA 1/2013 State reply: 02/08/2013

Allégation d'entraves indues au droit à la liberté de réunion pacifique d'activistes syndicaux.

[1] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

[2] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

9. JAL 23/04/2013 Case no: DZA 2/2013 State reply: none to date

Allégations d'un usage excessif de la force durant une manifestation pacifique; et de violation à la liberté de mouvement.

10. JAL 28/06/2013 Case no: DZA 3/2013 State reply: none to date

Allégations de représailles et d'actes d'intimidation à l'encontre d'un défenseur des droits de l'homme pour avoir coopéré avec l'Organisation des Nations Unies, ses représentants et ses mécanismes dans le domaine des droits de l'homme.

11. JAL 20/08/2013 Case no: DZA 4/2013 State reply: 16/12/2013

Allégations d'usage excessif de la force et d'arrestations subséquentes lors d'une manifestation pacifique de familles de disparus.

Observations

12. La Rapporteuse spéciale remercie le Gouvernement des informations fournies dans la réponse à sa lettre du 7 mars 2012 et remercie les réponses à ses lettres du 31 aout 2012 et 22 novembre 2012. Toutefois, elle regrette l'absence des réponses aux trois autres communications envoyées durant la période couverte par le présent rapport.

13. La Rapporteuse spéciale demeure préoccupée par des rapports reçus qui dénoncent, lors de manifestations pacifiques, un usage excessif de la force contre les participants ainsi que des arrestations et détentions de défenseurs des droits de l'homme ayant pris part auxdites manifestations.

14. La Rapporteuse spéciale exprime ses préoccupations concernant des rapports reçus sur des actes de représailles et d'intimidation à l'encontre d'un défenseur des droits de l'homme. À cet égard, elle prie instamment le Gouvernement d'Algérie de faire en sorte que les défenseurs des droits de l'homme puissent mener leurs activités légitimes dans un environnement favorable et sans danger, ce qui inclut un accès ouvert et sans entraves aux organes internationaux des droits de l'homme tels que les Nations Unies, ses représentants et ses mécanismes dans le domaine des droits de l'homme, sans crainte d'harcèlement, stigmatisation ou criminalisation.[3]

Angola

15. JAL 26/04/2013 Case no: AGO 2/2013 State reply: 30/09/2013

Alleged arrests of 18 individuals who intended to participate in a peaceful protest

16. JUA 10/06/2013 Case no: AGO 3/2013 State reply: 08/07/2013
30/09/2013

Alleged incommunicado detention of one human rights defender and alleged arbitrary arrests and excessive use of force by the police against eight other human rights defenders

Observations

17 The Special Rapporteur would like to thank the Government of Angola for the responses received to the two communications sent during her reporting period.

[3] A/HRC/Res/22/6/OP13

18. The Special Rapporteur wishes to reiterate her concerns regarding information received on alleged restrictions on the right to freedom of peaceful assembly in Angola, including excessive use of force against protesters involved in peaceful demonstrations on the part of the authorities. She also expresses her concern regarding information received of arrests, arbitrary detention protesters and the refusal of access to lawyers while in detention.

Argentina

19. JAL 10/01/2013 Case no: ARG 2/2012 State reply: none to date

Presuntos actos de intimidación y difamación contra abogados de derechos humanos en la provincia de Mendoza, y presunta amenaza de muerte contra un conocido magistrado en la misma provincia

Observaciones

20. La Relatora Especial toma nota del acuse de recibo de su carta de alegaciones pero lamenta que, en el momento de finalizar el presente informe, no se habia recibido una respuesta sustantiva a las alegaciones presentadas. La Relatora se muestra preocupada por la gravedad de dichas alegaciones indicando amenazas de muerte contra un magistrado y actos de intimidación contra abogados implicados en casos y procesos por crímenes de lesa humanidad ocurridos durante la dictadura militar (1976-1983).

Armenia

21. JUA 10/09/2013 Case no: ARM 1/2013 State reply: none to date

Allegations of threats and harassment of Armenian women's non-governmental organizations and women human rights defenders.

Observations

22. The Special Rapporteur regrets that, at the time of finalising this report, she had not received a reply to the communication sent during the reporting period. She trusts that she will receive a reply to the allegations presented about threats, harassment and calls for violence against women defenders related to their activities and in connection to a public discussion which was generated around the adoption of Law No. 57 on Equal Rights and Equal Opportunities for Men and Women.

Azerbaijan

23. JAL 10/12/2012 Case no: AZE 5/2012 State reply: 16/08/2013

Alleged legislative amendments increasing fines and criminalizing breaches of the regulations regarding the organization and participation in peaceful assemblies, which may be contrary to the fundamental right to freedom of peaceful assembly.

24. JAL 18/01/2013 Case no: AZE 1/2013 State reply: 20/03/2013
27/08/2013
06/12/2013

Allegations concerning the physical and psychological integrity of a human rights defender who, at the time of the communication, was in pre-trial detention.

25. JUA 01/02/2013 Case no: AZE 2/2013 State reply: 23/04/2013

Allegations of arrest of 63 participants in a peaceful protest held in Baku, of whom 26 were sentenced to administrative detention or heavy fines.

26. JAL 28/03/2013 Case no: AZE 3/2013 State reply: 16/08/2013

Reported amendments to the Code of Administrative Offences, the law "On non-governmental organisations (public associations and foundations)" and the law "On grants" which will allegedly affect the work of religious organisations and non-governmental organisations (NGOs), including those working for the promotion and protection of human rights.

27. JUA 26/07/2013 Case no: AZE 4/2013 State reply: 28/08/2013

Alleged administrative detention of three youth activists for the period of 15 days.

28. JAL 26/11/2013 Case no: AZE 5/2013 State reply: none to date

Alleged targeting of an NGO in the aftermath of the recent presidential elections of 9 October 2013.

Observations

29. The Special Rapporteur thanks the Government for the replies transmitted to five of her six communications sent during the reporting period and welcomes this improvement in the response rate since the last reporting period when one response was received to four communications.[4]

30. The Special Rapporteur wishes to express her deep concern about what she considers undue restrictions imposed on the rights to freedom of peaceful assembly and association. Individual human rights defenders have been arrested, while organisations have been impeded in their work to promote human rights by means of changes in legislation which have unduly curtailed basic freedoms.

31. Specifically, following the amendments made to the Law on Freedom of Assembly, the Administrative Offences Code and the Criminal Code in December 2012, peaceful gatherings can now be criminalised when it "causes the significant violation of the rights and legal interests of citizens" (art. 169, para. 1 of the Criminal Code). According to the Government's response, gatherings "propagandizing national, racial of religious discord" can constitute an "abuse" of the right to freedom of peaceful assembly. The Special Rapporteur expresses her concern about what she considers the shrinking of the space for the peaceful promotion of human rights and fundamental freedoms in Azerbaijan.

32. The Special Rapporteur is also concerned that the legislative amendments to the Code of Administrative Offences, the law "On non-governmental organizations" and the law "On grants" could be used to hinder the work of non-governmental organisations (NGOs) in Azerbaijan. These amendments have increased the penalties in cases where organisations do not register with the Ministry of Justice and have defined what constitutes a "donation" for the purposes of grants legislation. Therefore, only those organisations whose causes are approved by the Government via registration are legally entitled to receive funds for their cause. The Special Rapporteur believes that this constitutes an undue restriction to the right to associate freely, which further narrows the space for peaceful and independent work by human rights defenders.

[4] A/HRC/22/47/Add.4, paras. 18 - 23

33. The Special Rapporteur, jointly with the Special Rapporteur on freedom of opinion and expression and the Special Rapporteur on the rights to freedom of association and peaceful assembly, issued a press statement on 4 October 2013[5] about the importance of the work of human rights defenders and civil society organisations in the run-up to the Presidential elections in Azerbaijan, which took place on 9 October 2013.

34. The Special Rapporteur would like to reiterate her availability to provide guidance and support to the Government of Azerbaijan in any issue related to the establishment and consolidation of a safe and enabling environment for human rights defenders, including through a conducive legal, institutional and administrative framework. She reiterates her interest in visiting the country and regrets that to date her request to conduct such a visit (2013) has not received an answer.

Bahrain

35. JAL 19/04/2013 Case no: BHR 1/2013 State reply: 05/06/2013

Allegation that a new draft law on associations violates international norms and standards related to the right to freedom of association.

36. JUA 10/05/2013 Case no: BHR 2/2013 State reply: 05/06/2013

Alleged arbitrary detention and torture of a human rights defender as well as denial to seek legal representation.

37. JUA 23/05/2013 Case no: BHR 3/2013 State reply: 24/06/2013

Alleged removal from his cell and isolation of a detained human rights defender, as well as denial of access to his relatives and legal representation.

38. JUA 30/07/2013 Case no: BHR 4/2013 State reply: 29/08/2013

Alleged irregularities in the trials of human rights defenders, including possible acts of reprisals for co-operation with the United Nations (UN) against one of them, and alleged torture or other forms of cruel, inhuman or degrading treatment of another whilst in detention.

39. JUA 14/08/2013 Case no: BHR 5/2013 State reply: 04/09/2013

Alleged restrictions of freedom of expression and freedom of assembly following 22 recommendations to amend the anti-terrorism Law no. 58 of 2006.

40. JUA 28/08/2013 Case no: BHR 6/2013 State reply: 01/10/2013

Allegations of arbitrary detention, torture and ill-treatment of Ms Rihanna Al-Musawi and Ms Nafeesa Al-Asfoor, and of lack of judicial safeguards while in detention; and of arbitrary detention of Mr Abas Al-Asfoor..

41. JUA 04/10/2013 Case no: BHR 7/2013 State reply: 05/11/2013

Allegations of inadequate investigations of torture whilst in detention and of lack of access to legal representation.

[5] "UN experts urge Azerbaijan to recognize and enable the role of rights defenders in run up to elections" (4/10/2013): http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13829&LangID=E

Observations

42. The Special Rapporteur would like to thank the Kingdom of Bahrain for the responses received to the seven communications sent during the reporting period. However, she expresses her concern with regards to the volume of the allegations received and the severity of the issues raised therein.

43. The Special Rapporteur expresses concern with regards to the draft law on Civil Associations and Organisations which imposes restrictions on associations, including a prior approval procedure to set up an association; extensive discretion to the authorities to monitor and influence the internal affairs of an association; and prior ministerial approval with regards to funding. Although the Special Rapporteur appreciates the response provided by the Government which indicated that NGOs had been consulted with regards to the contents of the draft law, she firmly believes that undue restrictions should not be imposed so as to prevent associations from operating freely.

44. The Special Rapporteur also expresses her concern with regard to the recommendations adopted on 28 July 2013 to amend the Law no. 58 (Protecting Society from Terrorists Act) of 2006. The Special Rapporteur appreciates the detailed response provided by the Government on 4 September 2013, but she remains concerned that this law could impose restrictions on human rights defenders' ability to effectively carry out their legitimate and peaceful human rights activities.

45. The Special Rapporteur further wishes to express concern with regards to information she has received of intimidation, arrests, detention, ill-treatment, torture and enforced disappearances of human rights defenders. Furthermore, she is concerned about information she has received regarding the treatment and conditions in detention, including physical abuse, isolation and refusal of access to family members and legal representatives.

46. The Special Rapporteur takes note of the investigations on cases that she has raised in a number of communications regarding allegations of torture in detention, including forensic examinations. Although the Government refutes these allegations, the Special Rapporteur remains concerned about the high volume of allegations received regarding the situation of defenders in the country, who remain at risk of arbitrary detention and ill-treatment as a result of their legitimate and peaceful activities. The Special Rapporteur urges the Government of Bahrain to take immediate steps to ensure human rights defenders are able to carry out their work in an effective manner without fear of such violations.

47. The Special Rapporteur regrets that so far no reply has been received in response to her request (2012) to visit the Kingdom of Bahrain to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

Bangladesh

48. JUA 18/01/2013 Case no: BGD 2/2013 State reply: 29/01/2013

Alleged attack on, and stabbing of, a prominent blogger in Dhaka.

49. JAL 20/02/2013 Case no: BGD 4/2013 State reply: 25/02/2013

Allegations of dispersal by law enforcement authorities of a series of peaceful demonstrations organised by teachers and employees of non-governmental schools, and the alleged related excessive use of force against demonstrators.

50. JUA 14/08/2013 Case no: BGD 9/2013 State reply: none to date

Allegations of arrest and detention of, and charges against, the secretary of a human rights non-governmental organisation, coupled with searches of the NGO premises.

51. JUA 06/09/2013 Case no: BGD 10/2013 State reply: 10/09/2013

Allegations of charges against the Secretary and Director of a human rights non-governmental organisation.

52. JAL 29/10/2013 Case no: BGD 11/2013 State reply: 31/10/2013

Alleged lack of compliance of the amended Information and Communication Technology Act with international human rights standards.

53. JUA 13/11/2013 Case no: BGD 14/2013 State reply: 14/11/2013

Allegations of incarceration of, and charges against, a human rights defender.

Observations

54. The Special Rapporteur takes note of the acknowledgement of receipt to five out of six of the communications sent during the reporting period. She trusts that substantive responses will be provided shortly to all of these communications.

55. The Special Rapporteur expresses grave concern of reports received of violent physical attacks and attempted murder of human rights defenders in Bangladesh. She also expresses her concern regarding allegations of excessive use of force by law enforcement authorities to disperse peaceful demonstrations, which in some cases led to casualties and severe injuries amongst demonstrators. The Special Rapporteur urges the Government of Bangladesh to take immediate steps to ensure human rights defenders are able to carry out their work in a safe and enabling environment and that their physical and psychological integrity is guaranteed. The Special Rapporteur is also concerned about reports of searches at the premises of NGOs and seizure of laptops by security forces and the subsequent arrest and detention of NGO staff members and refusal of access to a lawyer.

56. The Special Rapporteur would like to reiterate her concerns regarding the passing by Parliament on 19 August 2013 of the amended Information and Communication Technology Act of 2006, which she believes imposes undue restrictions on the right to freedom of opinion and expression.

57. The Special Rapporteur regrets that to date no reply has been received in response to her request (2013) for a country visit to Bangladesh to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

Belarus

58. JAL 19/02/2013 Case no: BLR 1/2013 State reply: none to date

Alleged arrest of, and imposition of fines on three human rights defenders.

59. JAL 28/03/2013 Case no: BLR 2/2013 State reply: none to date

Allegations of confirmed forced cessation of a human rights organization's activities in appeal.

Observations

60. The Special Rapporteur regrets the lack of response to the two communications sent during the present reporting period. The Special Rapporteur remains concerned at reports received indicating that there is an increasingly restrictive environment for human rights defenders in Belarus, including the use of judicial and administrative provisions against certain organisations and journalists working on human rights issues.

61. This restrictive context for human rights defenders is highlighted by the Special Rapporteur on the situation in Belarus, when he warns against the use of arbitrary administrative and criminal detention as a means to intimidate, harass and punish individuals engaged in undesired activities, including human rights defenders, journalists and lawyers[6]. Moreover, the Special Rapporteur on the situation of Belarus expressed his concern about the imprisonment of human rights defenders and activists based on spurious criminal charges and unfair procedures, aggravated by allegations of torture and ill-treatment while in custody, as part of a strategy aimed at "breaking" them into admission of guilt.[7]

62. The Special Rapporteur finds the forced cessation of the activities of the organisation "?latforma" – which was the object of a previous communication (BLR 4/2012)[8] – and the subsequent confirmation at appeal in November 2012- of particular concern.

63. The Special Rapporteur would like to express serious concern at the alleged emergence of a pattern of legal and administrative harassment, and stigmatisation of human rights defenders expressing opinions online. In this connection, the alleged extension of the notion of "mass disturbance" so as to include online postings determines retrospectively what qualifies as a "mass disturbance" under Article 23.34 of the Belarusian Administrative Code. In her view, this unduly restricts the space in which human rights defenders operate and can be used to curtail basic public freedoms.

64. The Special Rapporteur reiterates her availability to provide advice to the Government, in particular concerning the establishment of a safe and enabling environment for the defence and promotion of human rights, and trusts that the Government will respond favourably to her repeated requests to visit the country (2010, 2011).

Belize

65. JAL 24/07/2013 Case no: BLZ 2/2013 State reply: none to date

Alleged attack and death threats against Belizean LGBT rights defender as well as impunity for such attacks.

Observations

66. The Special Rapporteur regrets that, at the time of finalising this report, she had not received a response to the communication sent during the reporting period. She trusts that she will receive a substantive reply to the allegations presented about an attack and death threats against a LGBT defender and impunity for such attack.

[6] A/68/276, para.76
[7] A/HRC/23/52
[8] A/HRC/22/47/Add , para. 46

Botswana

67. JAL 08/07/2013 Case no: BWA 2/2013 State reply: 10/07/2013

Alleged arbitrary denial to register a human rights association.

Observations

68. The Special Rapporteur thanks the Government for acknowledging receipt of the communication sent during the reporting period. She trusts that she will receive a substantive reply to the allegations presented regarding the arbitrary denial to register LEGABIBO, a human rights organisation that aims to promote non-discrimination and uphold the human rights of lesbian, gay, bisexual, transgender and intersex people. She takes note of the information received in the acknowledgment of receipt regarding the intention expressed by the Minister of Defence, Justice and Security at the UPR of Botswana in June 2013 to engage further with the founders of LEGABIBO.

69. The Special Rapporteur remains concerned that the denial to register LEGABIBO might be related to the association's peaceful activities in defending the human rights of LGBTI individuals in Botswana. She would like to reiterate the importance of ensuring that the right to freedom of opinion and expression and to peaceful assembly is guaranteed without discrimination of any sort.

Brazil

70. JAL 06/12/2012 Case no: BRA 15/2012 State reply: none to date

Alleged killing of a journalist in Campo Grande, the capital of Mato Grosso do Sul state.

71. JAL 07/05/2013 Case no: BRA 1/2013 State reply: none to date

Alleged infiltration and surveillance of human rights organisations.

72. JUA 03/06/2013 Case no: BRA 2/2013 State reply: 16/09/2013

Alleged recent incidents of escalating violence against indigenous peoples in the states of Mato Grosso do Sul and Pará, including the alleged killing of an indigenous person by police authorities.

73. JUA 26/06/2013 Case no: BRA 3/2013 State reply: none to date

Alleged excessive use of police force against protestors in vast demonstrations sweeping the nation since 10 June 2013.

74. JAL 07/11/2013 Case no: BRA 5/2013 State reply: none to date

Alleged death threats and false allegations of paedophilia and sexual abuse against LGBT rights defenders in Brazil.

Observations

75. The Special Rapporteur thanks the Government for the reply received to one of the communications sent during the reporting period but regrets that, at the time of finalising the report, five communications remained without reponse. While recognising the steps taken by the Government to improve the protection of human rights defenders, outlined in the Government's response dated 16 September 2013, she urges the Government of Brazil to conduct prompt and thorough investigations in each case, prosecute the perpetrators, and provide adequate reparation to victims. She trusts that a response to the other communications will be provided shortly.

76. The Special Rapporteur remains concerned regarding the information received about the excessive force used to disperse protests during the mass demonstrations of June 2013, including the use of tear gas and rubber bullets. This was the subject of a communication sent in June 2013 jointly with other experts of the Human Rights Council. She looks forward to receiving a response to what she considers to be very serious allegations.

77. The Special Rapporteur wishes to express her deep concern about the reported continuous climate of violence and pressure – involving killing, harassment, intimidation and criminalisation – experienced by organisations, social movements and indigenous communities defending environmental and land-related rights. The Special Rapporteur expresses serious concern concerning the death threats and harassment targeting those working to end discrimination against the LGBTI community in Brazil, as mentioned in the communication dated 7 November 2013. She expresses further concern at the escalating violence against journalists investigating corruption by public officials and the police, such as that mentioned in the communication dated 6 December 2012.

Cambodia

78. JUA 27/09/2013 Case no: KHM 2/2013 State reply: none to date

Allegations of dispersal of two peaceful protests against alleged election irregularities, one brutally, by law enforcement officials.

Observations

79. The Special Rapporteur regrets that, at the time of finalising the report, no response had been received to the communication sent during the reporting period. She remains gravely concerned regarding the information she has received of excessive force used to disperse peaceful protests. She would like to express her concern regarding the physical and psychological integrity of those exercising or seeking to exercise their rights of opinion and expression and of peaceful assembly and association in Cambodia. In this regard, she would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

80. The Special Rapporteur regrets that so far no reply has been received in response to her request for a country visit to Cambodia (2012) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

Cameroon

81. JAL 04/01/2013 Case no: CMR 6/2012 State reply: 30/07/2013

Allégations d'un raid illégal contre l'ONG Struggle to Economize Future Environment et de l'arrestation arbitraire subséquente de six de ses membres.

82. JUA 13/08/2013 Case no: CMR 3/2013 State reply: none to date

Allégations de meurtre d'un défenseur des droits de personnes lesbiennes, gays, bisexuelles, transgenres et intersexuées (LGBT) et d'actes d'intimidations à l'encontre d'autres défenseurs.

83. JUA 04/09/2013 Case no: CMR 4/2013 State reply: none to date

Allégations de tentative de meurtre, de harcèlement judicaire et de représailles à l'encontre de différents membres de l'organisation MBOSCUDA.

Observations

84. La Rapporteuse spéciale remercie le Gouvernement des informations fournies en réponse à sa lettre du 4 janvier 2013. Elle regrette cependant, au moment de la finalisation du présent rapport, l'absence de réponse aux deux autres communications envoyées pendant la période couverte par le présent rapport.

85. La Rapporteuse spéciale exprime de sérieuses préoccupations par rapport à des informations reçues concernant des meurtres, tortures, tentatives de meurtre, actes d'intimidation, arrestations arbitraires et harcèlements judicaire à l'encontre des défenseurs des droits de l'homme. La Rapporteuse Spéciale reste très préoccupée quant à la vie et intégrité physique et psychologique des défenseurs des droits de l'homme au Cameroun, surtout celles et ceux qui qui sont engagés dans la protection des droits des personnes lesbiennes, gais, bisexuelles, transgenres et intersexuées.

86. La Rapporteuse spéciale exprime ses préoccupations concernant des rapports reçus sur des actes de représailles à l'encontre des défenseurs des droits de l'homme. À cet égard, elle prie instamment le gouvernement de Cameroun de faire en sorte que les défenseurs des droits de l'homme puissent mener leurs activités légitimes dans un environnement favorable et sans danger, ce qui inclut un accès ouvert et sans entraves aux organes internationaux des droits de l'homme tels que les Nations Unies, ses représentants et ses mécanismes dans le domaine des droits de l'homme, sans crainte d'harcèlement, stigmatisation ou criminalisation.[9]

87. La Rapporteuse spéciale remercie le Gouvernement du Cameroun de la réponse à sa demande de visite (2012) afin de pouvoir effectuer un état des lieux de la situation des défenseurs des droits de l'homme dans le pays. Elle espère que sa visite pourra avoir lieu à l'avenir à des dates mutuellement convenues.

Canada

88. JAL 24/05/2012[10] Case no.: CAN 1/2012 State reply: 23/07/2012; 01/10/2012; 13/06/2013

Allégations de restrictions arbitraires au droit de réunion pacifique et de l'usage disproportionné de la force contre des manifestants dans le contexte de mobilisations d'étudiants à Montréal, Québec; et allégations de nouvelles lois portant indûment atteinte aux droits à la liberté de réunion pacifique et d'association.

89. JAL 07/11/2013 Case no: CAN 4/2013 State reply: 10/1/2014 10/1/2014

Allegations concerning discrimination in funding and retaliation acts against Ms Cindy Blackstock, Executive Director of the First Nations Child and Family Caring Society of Canada

Observations

90. The Special Rapporteur thanks the Government for the detailed and substantive response received to the communication sent during the reporting period. She also thanks

[9] A/HRC/Res/22/6/OP13

[10] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

the Government for the substantive response received to the communication sent during the previous reporting period (CAN 1/2012).[11]

91. The Special Rapporteur takes note of the information received regarding relevant protection and remedies in Canadian Law as well as the views of the Government on the allegations regarding the communication on Ms. Blackstock, dated 7 November 2013. The Special Rapporteur notes with concern the findings of the Office of the Privacy Commissioner of Canada, which considered the allegations made that officials from the Aboriginal Affairs and Northern Development Canada (AANDC) and the Department of Justice repeatedly accessed and monitored Ms. Blackstock's social media feeds to be "well-founded". She takes note that the AANDC accepted this finding and that it is complying with the recommendations made by the Office of the Privacy Commissioner. She looks forward to receiving information once the Canadian Human Rights Tribunal (CHRT) reaches a decision regarding the retaliation proceedings linked to the case.

92. The Special Rapporteur takes note of the information provided by the Government regarding the students' demonstrations in connection to the legal developments concerning the right to freedom of peaceful assembly and association. She is pleased to note that the Quebec government which was elected in September 2012 decided to repeal the mentioned laws. The Special Rapporteur takes note that investigations are ongoing regarding allegations of excessive use of force by the police during the demonstrations.

Chile

93. JUA 03/09/2013 Case no: CHL 1/2013 State reply: 01/10/2013

Alegaciones sobre supuestas amenazas en contra del líder indígena mapuche Francisco Vera Millaquén y su familia con motivo de su trabajo en defensa de los derechos del pueblo indígena mapuche.

Observations

94. La Relatora Especial agradece la respuesta del Gobierno a la comunicación enviada durante el periodo del presente informe. La Relatora toma nota de la existencia de tres investigaciones en curso sobre la situación del Sr. Vera Millaquén sobre cuyo contenido entiende que no le sea posible al Gobierno extenderse. La Relatora también toma nota y agradece la información recibida indicando que el Sr. Vera Millaquén y su familia son beneficiarios de programas de protección de la Unidad Regional de Atención a Víctimas y Testigos de la Fiscalía Regional de Los Lagos.

China

95. JUA 10/12/2012 Case no: CHN 10/2012 State reply: 07/02/2013

Allegations of arrest and detention of, and alleged excessive use of force against, peaceful demonstrators in the Tibet Autonomous Region.

96. JAL 10/12/2012 Case no: CHN 11/2012 State reply: none to date

Alleged continued detention and deteriorating health of prominent Tibetan human rights defender

98. JUA 17/01/2013 Case no: CHN 1/2013 State reply: 07/03/2013

Alleged detention in an unknown location of human rights defender.

[11] A/HRC/22/47/Add.4, paras. 83 - 84

99. JUA 12/06/2013 Case no: CHN 4/2013 State reply: 12/07/2013

Allegations of sentencing of eight student protestors to prison terms following their participation in peaceful demonstrations in the Tibet Autonomous Region in November 2012.

100. JUA 24/06/2013 Case no: CHN 5/2013 State reply: 01/08/2013

Alleged incarceration on the basis of a sentence to a four years' prison term of a student in Huangnan Tibetan Autonomous Prefecture, for leading a peaceful protest in November 2012

101. JUA 17/07/2013 Case no: CHN 6/2013 State reply: 23/09/2013

Alleged arrest and detention of peaceful protesters requesting to participate in the consultation and drafting process preceding China's upcoming Universal Periodic Review (UPR), as well as a trial and alleged torture of an activist working on the same issue.

102. JUA 09/08/2013 Case no: CHN 8/2013 State reply: 11/11/2013

Allegations of arrests, detention and intimidation of human rights defenders, denial of access to appropriate medical treatment, incommunicado detention and torture while in detention, and alleged sexual violence.

103. JUA 22/08/2013 Case no: CHN 9/2013 State reply: none to date

Alleged arrests and administrative detention of four human rights defenders.

104. JUA 18/09/2013 Case no: CHN 10/2013 State reply: 03/12/2013

Allegations of arrest and detention of a human rights defender.

105. JUA 01/10/2013 Case no: CHN 11/2013 State reply: 07/01/2014; 24/01/2014

Alleged imposition of travel bans on two human rights defenders, and enforced disappearance of one, working on China's upcoming UPR

106. JUA 22/10/2013 Case no: CHN 12/2013 State reply: 07/01/2014

Allegations of arbitrary arrest and detention, and enforced disappearances

107. JUA 14/11/2013 Case no: CHN 13/2013 State reply: 24/01/2014

Alleged arbitrary detention and deprivation of medical treatment of human rights defender, Ms Cao Shun'i.

Observations

108. The Special Rapporteur welcomes the Government's responses to nine of her twelve communications sent during the reporting period, and hopes to receive substantive responses to the remaining communications.

109. The Special Rapporteur expresses grave concern at reports that she has received of excessive use of force against peaceful Tibetan student protestersand the subsequent detention and sentencing of these human rights defenders under charges of "illegally holding demonstration" and "causing harm to social stability".

110. Furthermore, the Special Rapporteur is deeply concerned about the arrest, detention and intimidation of human rights defenders in China for peacefully claiming their legitimate right to be part of the Universal Periodic Review process, as mentioned in communications dated 17 July, 1 October and 14 November 2013. She is particularly concerned about the enforced disappearance, and subsequent arbitrary detention of Ms. Cao

Shunli, and the alleged denial of medical treatment while in detention. The Special Rapporteur has voiced concerns about Ms Shunli, who is a prominent human rights defender, in a public statement issued jointly on 16 October 2013 with the Special Rapporteur on freedom of opinion and expression and the Special Rapporteur on the rights to freedom of peaceful assembly and of association.[12] She would like to reiterate her concerns that the high-profile nature of this case may deter human rights defenders from carrying out their peaceful and legitimate work, both in the exercise of their right to peaceful assembly and in their endeavours to co-operate with the United Nations human rights meachanisms. In this regard, she strongly urges the Government of China to ensure that human rights defenders can carry out their legitimate activities in a safe and an enabling environment; this includes through open and unhindered access to international human rights bodies such as the United Nations, its mechanisms and representatives in the field of human rights, without fear of harassment, stigmatisation or criminalisation of any kind.[13]

111. The Special Rapporteur is concerned over the allegations of members of the New Citizens Movement being targeted in connection to their peaceful and legitimate work promoting human rights and fundamental freedoms, mainly exposing alleged corruption amongst public officials and advocating for democracy. She would like to reiterate her concerns that the series of arrests of these human rights defenders reveal little room for dissenting voices in China and are a worrisome sign of an escalating crackdown on the rights to freedom of expression, association and peaceful assembly.

112. Finally, the Special Rapporteur would like to reiterate her concerns regarding the physical and psychological integrity of human rights defenders in China, following reports of human rights defenders being arrested, detained, disappeared, denied access to lawyers, denied medical attention and ill-treated in detention.

113. The Special Rapporteur regrets that so far no reply has been received in response to her request to visit China (2008, 2010) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

Colombia

114. JUA 17/12/2012 Case no: COL 13/2012 State reply: 20/06/2013
02/08/2013

Asesinato de un defensor de los derechos de las víctimas y alegaciones de una ola creciente de amenazas y actos de intimidación contra defensores de los derechos de las víctimas y sus familiares.

115. JUA 16/01/2013 Case no: COL 2/2013 State reply: 03/04/2013

Alegación relativa a la detención del Sr. Manuel Antonio Bautista Pequi, defensor de derechos humanos y miembro de la Asociación de Cabildos Indígenas del Norte del Cauca (ACIN), arrestado el 4 de enero de 2013 en Santander de Quilichao por agentes de la policía.

116. JAL 29/01/2013 Case no: COL 1/2013 State reply: 02/05/2013

[12] "UN experts alarmed by reprisals against activists linked to China's international human rights review"(16/10/2013): http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13860&LangID=E

[13] A/HRC/Res/22/6/OP13

Presunto asesinato, actos de intimidación y acoso, incluyendo amenazas de muerte y malos tratos de activistas sindicales.

117. JUA 15/02/2013 Case no: COL 3/2013 State reply: 03/04/2013

Alegaciones de un atentado contra la vida del sacerdote y defensor de derechos humanos, Padre Alberto Franco.

118. JUA 01/05/2013 Case no: COL 5/2013 State reply: none to date

Supuestos ataques, amenazas, actos de intimidación y agresión física contra mujeres defensoras de derechos humanos en las regiones del norte de Colombia en conexión con su trabajo de promoción y defensa de los derechos humanos en esa región.

119. JUA 07/06/2013 Case no: COL 6/2013 State reply: none to date

Presunto robo de información contra miembro de la Fundación Nydia Erika Bautista y actos de hostigamiento contra miembros de la misma organización.

120. JUA 02/08/2013 Case no: COL 8/2013 State reply: 14/11/2013

Presuntas amenazas de muerte contra miembros del movimiento de derechos humanos de Barrancabermeja.

121. JUA 13/08/2013 Case no: COL 9/2013 State reply: none to date

Supuestas amenazas de muerte continúas contra sindicalistas en Colombia.

122. JUA 13/09/2013 Case no: COL 10/2013 State reply: 14/11/2013
24/12/2013

Presunto asesinato de un abogado y supuestos actos de intimidación, estigmatización y amenazas de muerte en contra de abogados en un contexto de ataques contra profesionales del derecho trabajando casos de violaciones de derechos humanos, incluidas desapariciones forzadas e involuntarias.

123. JUA 18/11/2013 Case no: COL 11/2013 State reply: 07/1/2014
23/1/2014

Presuntos asesinatos de tres defensores y defensoras de derechos humanos.

Observaciones

124. La Relatora Especial agradece al Gobierno las respuestas recibidas a siete de sus diez comunicaciones enviadas durante el periodo del presente informe, así como por la información proporcionada sobre el apoyo y protección ofrecida a los defensores y defensoras. La Relatora confía que el Gobierno dará respuesta a las tres comunicaciones del periodo que aún no han sido respondidas así como a las cuatro comunicaciones que no obtuvieron respuesta durante el periodo anterior (COL 1/2012, COL 3/2012, COL 10/2012 y COL 11/2012).[14]

125. La Relatora Especial continúa preocupada por la situación de los defensores en el país, quienes siguen sufriendo actos de coso e intimidación; amenazas, incluidas de muerte; ataques; y asesinatos por su trabajo en defensa de los derechos humanos. La Relatora Especial quiere llamar la atención sobre la difícil situación de los defensores y defensoras que trabajan en temas relacionados con la restitución de tierras, pueblos y comunidades indígenas, sindicalistas, abogados y periodistas. Asimismo, los riesgos que las mujeres

[14] A/HRC/22/47/Add.4, paras. 100-106

defensoras enfrentan en el país preocupa a la Relatora, en especial aquéllas que trabajan en el norte del país y por el esclarecimiento de desapariciones forzadas y violaciones cometidas por las fuerzas del orden y grupos armados. La gravedad de los casos que han llegado a la Relatora es una muestra de la situación de inseguridad extrema que enfrentan los defensores y defensoras en Colombia.

126. La Relatora Especial quiere reiterar su profunda preocupación sobre un patrón identificado de actos intimidatorios, amenazas y asesinatos contra defensores trabajando sobre el proceso de justicia y verdad, por el esclarecimiento de violaciones cometidas por las fuerzas del orden y grupos armados, y contra la impunidad. Específicamente, defensores y defensoras que trabajan sobre desapariciones forzadas y casos de "falsos positivos" enfrentan un nivel altísimo de amenazas, intimidación y hostigamiento.

127. Asimismo, la Relatora Especial continúa preocupada por el grado de impunidad que prevalece en torno a los ataques y violaciones contra los y las defensoras en Colombia y querría subrayar la importancia de que se lleven a cabo investigaciones prontas e imparciales, que los responsables sean traducidos en justicia y que las víctimas reciban una reparación adecuada.

128. La Relatora toma nota de las informaciones proporcionadas respecto al balance realizado en abril de 2013 y la nueva fase del Proceso Nacional de Garantías para la labor de las y los defensores de derechos humanos, la cual tendría como objetivo reforzar su eficacia y lograr su descentralización. En este sentido, la Relatora agradece la información acerca de la asesoría y asistencia técnica que las autoridades centrales brindan a las entidades territoriales a través de los Planes Integrales de Prevención y Protección. Asimismo, la Relatora toma nota del establecimiento de un espacio técnico de protección y otro de investigación con el objetivo de formular recomendaciones de políticas y/o estrategias de lucha contra la impunidad.

Costa Rica

129. JUA 02/04/2012[15] Case no.: CRI 2/2012 State reply: 01/02/2013

Supuesto allanamiento y robo en la sede de una organización de derechos humanos.

Observaciones

130. La Relatora agradece al Gobierno la respuesta recibida a la comunicación enviada durante el periodo anterior (CRI 2/2012)[16] aunque lamenta la tardanza en el envío de dicha respuesta. La Relatora considera que las alegaciones recibidas son preocupantes y agradece los esfuerzos por parte de las autoridades en ponerse en contacto con la presunta víctima. Asimismo, confía en que las alegaciones serán debidamente investigadas y los culpables serán llevados ante la justicia. La Relatora toma nota de la acción del Gobierno procurando facilitar el camino para que se discuta un proyecto de ley referente a los derechos de las personas lesbianas, gays, bisexuales, transexuales e intersex.

[15] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

[16] A/HRC/22/47/Add.4, paras. 113 - 114

Cuba

131. JUA 28/03/2013 Case no: CUB 1/2013 State reply: 21/05/2013

Supuesto uso excesivo de la fuerza y agresión física contra de una defensora de los derechos humanos, y supuesta negación de atención médica.

132. JAL 23/07/2013 Case no: CUB 4/2013 State reply: 19/08/2013

Presuntos actos de intimidación y represalias contras dos abogadas y defensoras de derechos humanos por su cooperación con el Comité de Naciones Unidas para la Discriminación contra la Mujer durante la 55 sesión del mismo.

133. JUA 04/11/2013 Case no: CUB 5/2013 State reply: 06/01/2014

Presunto incremento de actos de acoso, conocidos como "actos de repudio", llevados a cabo por agentes del Estado y grupos de vigilantes, que tienen como objetivo intimidar a defensores y defensoras de derechos humanos en sus propias casas.

Observaciones

134. La Relatora agradece las respuestas recibidas a todas las comunicaciones enviadas durante el periodo del presente informe y toma nota de la información detallada respecto al tratamiento médico proporcionado a la Sra. Yris Tamara Pérez Aguilera. Sin embargo, la Relatora lamenta que, en el momento de la finalización de este informe, no se haya recibido respuesta a la comunicación enviada durante el periodo anterior, con fecha de 23 de noviembre de 2012.[17]

135. La Relatora se muestra preocupada por las alegaciones recibidas durante el periodo del presente informe indicando la existencia de actos de intimidación y represalias contra defensoras de derechos humanos por su cooperación con el Comité de Naciones Unidas para la Discriminación contra la Mujer durante la 55 sesión del mismo. Si bien toma nota de la respuesta del Gobierno a su comunicación al respecto, la Relatora querría subrayar la resolución 22/6, adoptada el 21 de marzo del 2013 por el Consejo de Derechos Humanos, la cual reafirma inequívocamente el derecho o de toda persona, individual o colectivamente, "al libre acceso y a la comunicación con los órganos internacionales, en particular las Naciones Unidas, sus representantes y sus mecanismos en la esfera de los derechos humanos, entre ellos el Consejo de Derechos Humanos, sus procedimientos especiales, el mecanismo del examen periódico universal y los órganos de tratados, así como los mecanismos regionales de derechos humanos".[18]

136. La Relatora reitera su preocupación sobre el difícil contexto que se da en el país para los que intentan ejercer el derecho a la libertad de opinión y expresión, de reunión pacífica y libre asociación, en particular para las y los defensores de derechos humanos los cuales son detenidos arbitrariamente antes, durante y después de participar en manifestaciones. La Relatora señala que el ejercicio de estos derechos básicos es fundamental para que las y los defensores puedan llevar a cabo su legítimo trabajo.

137. La Relatora se muestra asimismo preocupada por las alegaciones recibidas indicando la existencia de un patrón de actos de intimidación y acoso a defensores y defensoras de derechos humanos en sus propias casas, lo cual se conoce como acto de

[17] A/HRC/22/47/Add.4, paras. 119
[18] A/HRC/Res/22/6/OP13

repudio. En dichos actos de repudio, se alega que grupos de personas afines al Gobierno acosan, amenazan, insultan y atacan a defensores y defensoras de derechos humanos. La Relatora toma nota de la respuesta del Gobierno a su comunicación sobre este asunto y se pone a su disposición para asesorarle acerca de las medidas necesarias para establecer y consolidar un entorno seguro y propicio para que los defensores y defensoras puedan llevar a cabo su trabajo, incluyendo un marco legal, institucional y administrativo favorable.

Czech Republic

138. JAL 21/02/2013 Case no: CZE 1/2013 State reply: 23/04/2013

Alleged eviction from its office premises of the civil society organisation Vzájemné Soužití.

Observations

139. The Special Rapporteur would like to thank the Government for the response received to the communication sent during the reporting period. She takes note that the property was vacated due to the existence of direct risks to the health of tenants, and trusts that a solution aceptable to everyone will be found so that the activities of the organisation will not be disproportionately affected by the situation.

Ecuador

140. JAL 16/09/2013 Case no: ECU 1/2013 State reply: 06/12/2013

Pre unta restricción indebida del derecho de asociación mediante la expedición del Decreto Ejecutivo No. 16

141. JAL 04/10/2013 Case no: ECU 2/2013 State reply: 29/11/2013

Alegaciones de condena a 12 años de presión por el delito de terrorismo organizado de tres líderes indígenas.

Observaciones

142. La Relatora Especial agradece al Gobierno los acuses de recibo a las dos comunicaciones enviadas durante el periodo del presente informe y queda a la espera de recibir respuestas sustantivas lo antes posible, dada la seriedad de las alegaciones presentadas. La Relatora querría señalar su preocupación respecto a las alegaciones recibidas indicando que diversos aspectos del Decreto No. 16, respecto al Sistema Unificado de Información de las Organizaciones Sociales y Ciudadanas, pudieran restringir indebidamente el derecho a la libertad de asociación.

Egypt

143. JAL 19/01/2012[19] Case no.: EGY 2/2012 State reply: 04/04/2013

Alleged violence against women by the Egyptian military in the context of the protests that took place in Cairo in November and December 2011.

[19] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

144. JUA 11/01/2013 Case no: EGY 1/2013 State reply: none to date

Allegations of violence in the context of protests in Cairo, including killings, injuries and acts of torture and sexual harassment.

145. JUA 16/01/2013 Case no: EGY 2/2013 State reply: none to date

Alleged arrest and detention of a freelance journalist, and judicial harassment of further journalists for peacefully criticising the President and the Government.

146. JUA 11/02/2013 Case no: EGY 3/2013 State reply: none to date

Allegation of repeated excessive use of force and physical assaults against protesters; and the adoption of emergency orders resulting in further restrictions to fundamental freedoms.

147. JAL 12/02/2013 Case no: EGY 4/2013 State reply: none to date

Allegations of two draft laws on associations and on assembly which, if passed, would severely restrict the right to freedom of association and of peaceful assembly.

148. JAL 20/03/2013 Case no: EGY 5/2013 State reply: 19/05/2013

Allegations on a new draft law on associations which, if passed without changes, would violate international law and standards pertaining to the right to freedom of association.

149. JAL 20/06/2013 Case no: EGY 9/2013 State reply: 22/01/2014

Allegations that sentences issued by the Cairo Criminal Court form part of a campaign aimed at unduly restricting the work carried out by civil society organisations.

150. JUA 30/08/2013 Case no: EGY 13/2013 State reply: 04/10/2013
26/10/2013

Allegations regarding the escalating violence and intimation against journalists and the media in Egypt.

151. JAL 16/09/2013 Case no: EGY 14/2013 State reply: none to date

Alleged issuance of an arrest warrant against human rights defender.

Observations

152. The Special Rapporteur thanks the Government of Egypt for providing detailed responses to her communication sent on 20 March 2013 regarding a draft law on civil society organisations and her communication sent on 30 August 2013 regarding alleged violence and intimidation against journalists. The Special Rapporteur regrets that no reply has been received from the Government to any of the six other communications sent during the reporting period, particularly due to the serious allegations that were raised therein. However, she thanks the Government for the response received to the communication sent during the previous reporting period (dated 19 January 2012)[20].

153. The Special Rapporteur wishes to express her deep concern regarding excessive use of force by the police against peaceful demonstrators and human rights defenders, including women and children. She is particularly concerned regarding reports that she has received of killings, serious injuries, acts of torture and sexual harassment of demonstrators. She also expresses her concern regarding the apparent lack of intervention of the police and security agents to protect demonstrators. She expresses her sincere hope that these cases will be duly

[20] A/HRC/22/47/Add.4, para. 130

investigated, that perpetrators will be brought to justice and that the victims will obtain adequate redress.

154. The Special Rapporteur remains concerned about violence and intimidation, arbitrary arrests and judicial harassment against journalists and media workers in relation to their peaceful and legitimate work in denouncing human rights violations. The Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

155. The Special Rapporteur further wishes to express concern regarding undue restrictions of the peaceful work carried out by civil society organisations and the intimidation of these organisations. She expresses particular concern regarding the sentencing of 43 NGO workers and the closure of the offices of a number of international organisations in Egypt by the Cairo Criminal Court, as mentioned in the communication dated 20 June 2013.

156. The Special Rapporteur would like to reiterate the concerns that she voiced in a joint press release published on 28 March 2013 regarding the proposed draft law on civil society organisations and that the provisions contained therein may be used to hamper the legitimate work of civil society organisations.[21] However, she welcomes the intention communicated by the Government to continue to consult with relevant expert bodies and agencies regarding the draft law and to provide updates on the status of the national debate on this issue.

157. The Special Rapporteur regrets that so far no reply has been received in response to her multiple requests to visit Egypt (2008, 2010, 2012) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

El Salvador

158. JAL 28/11/2013 Case no: SLV 3/2013 State reply: 29/01/2014

Presunto allanamiento y destrucción de documentos y materiales de una organización y actos violentos e intimidatorios contra varios integrantes de la misma.

Observaciones

159. La Relatora Especial agradece la respuesta detallada del Gobierno a la comunicación enviada durante el periodo del presente informe. La Relatora toma nota de la acción del Estado respecto a las medidas cautelares otorgadas por la Comisión Interamericana de Derechos Humanos a la organización Pro-Búsqueda y agradece la información proporcionada acerca de las investigaciones en curso y las medidas de protección adoptadas. Asimismo, la Relatora considera positivo que diferentes instancias estatales emitieran de forma inmediata comunicados públicos de condena del ataque violento contra la sede de la organización y de apoyo a su trabajo.

[21] "Egypt: NGO Bill infringes international standards – UN rights experts urge legislators to reject it" (28/03/2013): http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13190&LangID=E

Gambia

160. JUA 18/12/2012 Case no: GMB 2/2012 State reply: 19/12/2013

Alleged arrest and continued detention of human rights defender.

161. JAL 16/07/2013 Case no: GMB 1/2013 State reply: none to date

Alleged lack of compliance of the amended Information and Communication Act with international human rights law.

Observations

162. The Special Rapporteur takes note of the acknowledgement of receipt for the communication sent on 18 December 2012. However, she regrets that, at the time of the finalisation of this report, no substantive responses had been transmitted to the two communications sent during the reporting period.

163. The Special Rapporteur expresses her concern regarding the reports that she has received of alleged arbitrary detention of a human rights defender in an unknown location, including the denial of access to legal representation and family members. According to the information received, the individual was released after five months.

164. The Special Rapporteur also expresses her concern regarding the amendment to the Information and Communication Act by the Gambian National Assembly in June 2013. The Amended Act allegedly imposes maximum 15-year imprisonment and a fine of up to approximately 82,000 USD if found guilty of writing or spreading false information online including cartoons or satirical comedies. The Special Rapporteur is further concerned that this Act could be part of a broader campaign aiming to silence dissenting voices expressing critical views about public policy and issues of public interest, which she believes could hamper the work of those who defend and promote human rights.

Georgia

165. JAL 13/06/2013 Case no: GEO 1/2013 State reply: none to date

Alleged lack of effective protection provided to demonstrators during the International Day against Homophobia and subsequent threats made against members of an LGBT organisation.

Observations

166. The Special Rapporteur regrets that, at the time finalising this report, there had been no response to the communication sent during the reporting period. While taking note of the public statements made by relevant authorities in relation to the incidents that took place during the demonstration on 17 May 2013, the Special Rapporteur trusts that a response will be provided shortly given the concerns expressed regarding the lack of sufficient and effective protection afforded to LGBTI defenders trying to exercise their legitimate right to freedom of opinion and expression through a peaceful demonstration.

Greece

167. JAL 21/12/2012 Case no: GRC 3/2012 State reply: 04/03/2013

Alleged arbitrary refusal to revoke decisions denying registration to groups defending minority rights.

Observations

168. The Special Rapporteur would like to thank the Government for the response provided to the communication sent during the reporting period. She takes note of the indications that the relevant judgments by the European Court of Human Rights, which found violation of article 11 of the European Convention on Human Rights, are pending due to procedural reasons and the fact that the mentioned organisations are able to carry out their activities despite the fact that they are not formally registered. However, the Special Rapporteur urges the Government to expedite the implementation of such decisions so that the right to associate freely is not unduly restricted. She would also like to underline that NGOs and associations should be allowed to exist and carry out activities without having to register if they so wish.[22]

Guatemala

169. JUA 30/11/2012[23] Case no.: GTM 8/2012 State reply: 26/03/2013

Alegaciones acerca de actos de estigmatización y desprestigio, incluyendo incitación a la violencia, contra prominentes defensoras/defensores y organizaciones de los derechos humanos.

170. JUA 15/03/2013 Case no: GTM 2/2013 State reply: 09/09/2013

Alegaciones de existencia de un clima de violencia e intimidación en contra de abogados, jueces, fiscales y otros sujetos procesales, que actualmente se padece en el país.

171. JUA 27/03/2013 Case no: GTM 3/2013 State reply: none to date

Presuntos asesinatos, amenazas y secuestros.

172. JAL 17/05/2013 Case no: GTM 5/2013 State reply: none to date

Supuestos actos de desprestigio e intimidación contra una organización de derechos humanos.

173. JAL 05/08/2013 Case no: GTM 6/2013 State reply: none to date

Presuntos asesinatos, ataques y actos de intimidación y desprestigio contra defensores y defensoras de derechos medioambientales.

174. JUA 10/09/2013 Case no: GTM 7/2013 State reply: none to date

Asesinatos de los periodistas Luis de Jesús Lima y Carlos Orellana y supuestas intimidaciones contra profesionales de la prensa en Guatemala.

175. JAL 20/09/2013 Case no: GTM 8/2013 State reply: none to date

Supuestas amenazas e intimidaciones contra un magistrado de la Corte Suprema de Justicia.

176. JUA 30/10/2013 Case no: GTM 9/2013 State reply: 06/01/2014

Amenazas de muerte e intimidaciones a una jueza en Guatemala.

[22] A/64/226, para. 59

[23] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

Observaciones

177. La Relatora Especial agradece las respuestas recibidas a dos de las siete comunicaciones enviadas durante el periodo del presente informe. Asimismo, agradece la respuesta recibida a su comunicación enviada con fecha de 30 de noviembre de 2012 (GTM 8/2012)[24] recibida el 26 de marzo de 2013. En especial, la Relatora agradece la información detallada acerca de las medidas de protección adoptadas por parte de las autoridades pero toma nota con preocupación del descenso en el número de respuestas recibidas, en el momento de finalizar el presente informe, en comparación con el periodo del anterior informe.[25]

178. La Relatora Especial reitera su preocupación por el grado de violencia y los graves ataques que sufren los defensores y defensoras de derechos humanos en Guatemala, en particular por los asesinatos y ataques a su integridad física. La Relatora confía en que las investigaciones en curso se completen de forma pronta y adecuada de cara a esclarecer los hechos, depurar responsabilidades y llevar a los culpables de la violencia ante la justicia.

179. La Relatora señala con preocupación el alto grado de riesgo al que se enfrentan los abogados, jueces y otros sujetos procesales; los defensores y defensoras que trabajan por los derechos de los pueblos indígenas y campesinos; los que trabajan en defensa de los derechos medioambientales y el acceso a la tierra a menudo en el contexto de las operaciones de industrias energéticas y extractivas; y los periodistas. En este contexto, la Relatora querría reiterar que la protesta social pacífica es, además de un derecho fundamental, un elemento esencial en sociedades democráticas y participativas, y que cualquier restricción del mismo debe ser sujeta al más estricto escrutinio, respetando los principios básicos de legalidad, necesidad y proporcionalidad.

180. Durante el presente periodo de informe, la Relatora publicó junto con otros titulares de mandatos dos comunicados de prensa acerca del proceso de reconciliación y justicia en el país.[26] La Relatora Especial se muestra especialmente preocupada por las amenazas, campañas de descrédito e intimidaciones contra operadores de justicia, víctimas, testigos y defensores de derechos humanos involucrados en los procesos judiciales para el esclarecimiento de responsabilidades y lucha contra la impunidad por crímenes y atrocidades cometidos durante el período del conflicto armado.

181. La Relatora Especial se permite reiterar que, en el presente contexto, es esencial que las autoridades se pronuncien públicamente apoyando la importante labor que llevan a cabo los defensores y defensoras de derechos humanos en sociedades plurales y democráticas.

Haiti

182. JUA 03/01/2013 Case no: HTI 2/2012 State reply: none to date

Allégation d'une tentative d'assassinat contre un avocat défenseur des droits de l'homme.

[24] A/HRC/22/47/Add.4, paras. 172

[25] A/HRC/22/47/Add.4, paras. 165 - 176

[26] "Guatemala: "Justicia, la mejor garantía para que no se repitan las atrocidades" – expertos de la ONU" (15/05/2013): http://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=13330&LangID=S; y "Guatemala: "Sin justicia no puede haber una reconciliación justa y duradera" – expertos de la ONU" (18/04/2013): http://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=13249&LangID=S

183. JAL 02/08/2013 Case no: HTI 1/2013 State reply: none to date

Allégations de meurtre et d'agressions physiques à l'encontre de personnes homosexuelles ainsi que de menaces reçues par des associations défendant les droits des personnes lesbiennes, gays, bisexuels et transgenres (LGBT).

184. JUA 21/10/2013 Case no: HTI 2/2013 State reply : none to date

Allégations d'une attaque et d'une série d'actes d'intimidation et de menaces contre deux femmes défenseures des droits de l'homme.

Observations

185. La Rapporteuse Spéciale regrette qu'au moment de la finalisation du rapport, aucune réponse n'ait été reçue aux communications envoyées pendant la période couverte par le présent rapport.

186. La Rapporteuse spéciale exprime de sérieuses préoccupations par rapport à des informations reçues concernant des meurtres, agressions physiques, actes d'intimidation et menaces de mort à l'encontre de défenseurs des droits de l'homme. La Rapporteuse Spéciale reste très préoccupée quant à la vie et intégrité physique et psychologique des défenseurs des droits de l'homme en Haïti, surtout celles et ceux qui œuvrant pour la protection des droits des personnes lesbiennes, gais, bisexuelles et transgenre.

Honduras

187. JAL 21/02/2013 Case no: HND 1/2013 State reply: 25/03/2013

Presunto asesinato de miembros de movimientos campesinos que operan en la zona del Bajo Aguán.

188. JAL 18/06/2013 Case no: HND 2/2013 State reply: none to date

Alegaciones de asesinato de los Sres. Valentín Avelar Caravante, Sr. Celso Victorino Ruiz Martínez, y Sra. Marilú Miranda Orellana, y lesiones de gravedad sufridas por los Sres. Adolfo Melgar y. Santos Aníbal Melgar Vargas.

189. JUA 27/08/2013 Case no: HND 4/2013 State reply: 20/09/2013

Presunto asesinato, amenazas y otros actos intimidatorios en contra de defensores de derechos medio-ambientales, derechos a la tierra, y derechos de los pueblos indígenas.

190. JAL 29/08/2013 Case no: HND 5/2013 State reply: none to date

Presunto asesinato y agresión a integrantes de la comunidad de la Diversidad Sexual de Honduras.

Observaciones

191. La Relatora Especial agradece las respuestas recibidas a dos de las cuatro comunicaciones enviadas durante el periodo del presente informe con detalles acerca de las medidas adoptadas respecto a algunos de los casos. Sin embargo, lamenta que, en el momento de finalizar este informe, no se había recibido respuesta a dos de las comunicaciones enviadas.

192. La Relatora Especial reitera su honda preocupación por el clima de violencia e inseguridad en el que operan los defensores en Honduras. En este sentido, la Relatora se muestra consternada por el clima de violencia, los asesinatos, ataques y hostigamiento contra defensores y defensoras que trabajan en temas relacionados con el acceso a la tierra,

que a menudo afecta a comunidades campesinas e indígenas en zonas donde operan empresas energéticas o extractivas.

193. A la Relatora también la preocupa la situación de riesgo extremo a la que se enfrentan aquellos que trabajan por los derechos de las personas lesbianas, gays, bisexuales, transgénero e intersexuales (LGBTI). La Relatora Especial se muestra preocupada por la posible contrarreforma del artículo 321 del Código Penal, que tendría supuestamente por objetivo derogar la parte del artículo que pretendía acabar con la discriminación de la identidad de género y orientación sexual.

194. En conexión con lo anterior, la Relatora Especial lamenta que tanto el proyecto de ley para la protección de los y las defensoras de derechos humanos y los periodistas, como el mecanismo nacional de protección, estén aún a la espera de ser adoptados y establecidos respectivamente. La Relatora confía que se lleven a cabo las consultas necesarias para garantizar un proceso lo más participativo posible en el diseño, adopción e implementación de dicha ley y mecanismo.

195. En este contexto, la Relatora Especial se muestra preocupada por el alto grado de impunidad que prevalece respecto a las agresiones y violaciones de los derechos de los defensores y defensoras – sobre todo los siete asesinatos mencionados en las comunicaciones enviadas durante el periodo del presente informe – e insta al Gobierno a que tome las medidas necesarias para que estos actos sean investigados de forma pronta y adecuada, que los culpables respondan ante la justicia y que las víctimas obtengan reparación adecuada.

Hungary

196. JUA 16/05/2013 Case no: HUN 2/2013 State reply: none to date

Alleged harassment, intimidation and physical attack against a human rights defender.

Observations

197. The Special Rapporteur regrets that, at the time of finalising this report, there had been no response to the communication sent during the reporting period. She trusts that a response will be provided shortly given the seriousness of the allegations brought to her attention and the concerns about the physical and psychological integrity of Mr. Szollosi and his family.

India

198. JAL 15/02/2012[27] Case no.: IND 3/2012 State reply: 06/08/2013

Alleged killing of human rights defender.

199. JAL 20/02/2013 Case no: IND 2/2013 State reply: 21/02/2013

Alleged forced eviction of over 5,000 people living in economically weaker section (EWS) quarters in Koramangala, Bangalore.

[27] Although this communication was sent before the reporting period, a reply was received during the period covered by this report

200. JAL 08/03/2013 Case no: IND 4/2013 State reply: none to date

Alleged killing of a human rights defender and attempted killing of another defender.

201. JAL 11/06/2013 Case no: IND 7/2013 State reply: none to date

Alleged forced eviction of residents living in Jagatsinghpur District, Odisha, and surrounding areas in India.

202. JAL 04/07/2013 Case no: IND 8/2013 State reply: none to date

Allegations of arbitrary detention and forcible dispersal of women human rights defenders in the context of a peaceful protest in West Bengal.

Observations

203. The Special Rapporteur takes note of the acknowledgement of receipt for the communication sent on 20 February 2013. She regrets that, at the time of the finalisation of this report, no substantive responses had been transmitted to the four communica..ons sent during the reporting period and she trusts that the Government will provide responses to these communications shortly. The Special Rapporteur thanks the Government for the response provided to a communication sent during the previous reporting period (dated 15 February 2012).[28]

204. The Special Rapporteur expresses grave concern regarding information that she has received of the alleged killing of a human rights defender and attempted killing of another defender, as mentioned in the communication dated 8 March 2013. She expresses her sincere hope that these cases will be duly investigated, that perpetrators will be brought to justice and that the families of the victims that were killed will obtain adequate redress. The Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

205. The Special Rapporteur expresses further concern regarding reports of harassment and intimidation and the arbitrary detention of human rights defenders, including women human rights defenders, participating in peaceful protests.

Indonesia

206. JAL 23/09/2013 Case no: IDN 4/2013 State reply: none to date

Alleged arbitrary dispersal and arrests of a total of 71 peaceful protestors in Papua.

Observations

207. The Special Rapporteur regrets that, at the time of finalising this report, no reply had been received from the Government of Indonesia to the joint allegation letter sent during the reporting period.

208. The Special Rapporteur expresses concerns about information received on alleged restrictions on the right to freedom of peaceful assembly in Indonesia, including the arbitrary dispersal, arrests and detention of peaceful protestors and the denial of a permit to hold a demonstration. She would like to reiterate her concerns that certain provisions in the Bill on Mass Organisations will hamper the legitimate human rights work of civil society in Indonesia, in particular of foreign societal organisations, which she voiced in the joint press

[28] A/HRC/22/47/Add.4, para. 197

release published on 14 February 2013.[29] The Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

209. The Special Rapporteur regrets that so far no reply has been received in response to her request to visit Indonesia (2012) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

Iran (Islamic Republic of)

210. JUA 21/01/2013 Case no: IRN 3/2013 State reply: none to date

Alleged continued harassment of a woman human rights defender, including a summons received to start serving her prison sentence received for demanding justice for victims.

2011. JUA 31/01/2013 Case no: IRN 6/2013 State reply: none to date

Alleged arrest and detention of 15 journalists and arrest warrants issued for at least a further three.

2012. JUA 05/07/2013 Case no: IRN 10/2013 State reply: 18/12/2013

Alleged arbitrary arrest and detention of Messrs. Khosro Kordpour, Massoud Kordpour, Ms. Jamileh Karimi, Messrs. Ashkan Zahabian, Afshin Keshtkari and Mahmoud Beheshti Langroudi, in the lead up to the Presidential elections of 14 June 2013.

2013. JUA 18/11/2013 Case no: IRN 22/2013 State reply: none to date

Alleged sentencing of human rights lawyer in Iran to 6 years of prison.

Observations

2014. The Special Rapporteur welcomes the response to her communication dated 5 July 2013. However, she regrets that no responses have been received to the remaining three communications sent to the Government of the Islamic Republic of Iran during the present reporting period. The Special Rapporteur notes that there are two communications left unanswered from the previous reporting period (IRN 1/2012; 24/2012).[30]

2015. The Special Rapporteur expresses her renewed concern regarding information received at the Government of the Islamic Republic of Iran's alleged use of charges including 'national security' and propaganda against the system to restrict the peaceful work of human rights defenders in the Islamic Republic of Iran. The Special Rapporteur is alarmed that overly broad interpretations of such charges may result in disproportionate and undue restrictions on the fundamental rights of human rights defenders to carry out their legitimate and peaceful activities in defence and promotion of human rights. Further, she reiterates her grave concern at the conditions in which human rights defenders are held in Iranian prisons.

[29] "Indonesia: "Restrictive bill threatens freedoms of association, expression and religion," warn UN rights experts" (14/02/2013) http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12989&LangID=E

[30] A/HRC/22/47/Add.4, paras. 212 and 215

2016. The Special Rapporteur would like to reiterate the concerns that she voiced in a joint press statement dated 5 February 2013 regarding mass arrests and detention of journalists in Iran.[31]

2017. The Special Rapporteur welcomes the positive steps taken by the Government of the Islamic Republic of Iran in releasing prisoners of conscience, including the release of human rights lawyer, Ms Nasrin Sotoudeh on 18 September 2013. However, she remains concerned that a number of lawyers and human rights defenders are currently serving lengthy sentences due to their work. She urges the Government of Iran to take immediate steps to ensure that human rights defenders are able to carry out their work in a safe and enabling environment without fear of detention, harassment and prosecution. She remains available to provide any guidance or assistance that the Government might require in this regard.

Iraq

2018. JUA 29/11/2012[32] Case no.: IRQ 6/2012 State reply: 15/02/2013

Alleged arrest, detention and violation of due process of human rights defender.

2019. JAL 25/10/2013 Case no: IRQ 6/2013 State reply: none to date

Alleged killings of three media professionals.

Observations

220. The Special Rapporteur regrets that at the time of the finalisation of this report, the Government had not transmitted a reply to her communication sent during the reporting period. However, she thanks the Government for its response to a communication sent in the previous reporting period (dated 29 November 2012),[33] and welcomes the decision to release Mr Ahmed Al Shami on 13 December 2012.

221. The Special Rapporteur expresses grave concern with regard to reports that she has received of killings of media professionals and journalists in Iraq over the past decade. The Special Rapporteur expresses further concern that the right to freedom of opinion and expression of media professionals in Iraq is severely restricted by the lack of a safe and enabling environment in which to perform their work independently and without undue interference, harassment and threats to their physical and psychological integrity. She expresses her sincere hope that these cases will be duly investigated, that perpetrators will be brought to justice and that the families of the victims that were killed will obtain adequate redress. The Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

Israel

222. JAL 20/12/2012 Case no: ISR 13/2012 State reply: none to date

Alleged raids on several NGO offices in Ramallah.

---

[31] "UN experts call on Iran to stop journalist arrests and release those detained" (5/02/2013): http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12967&LangID=E

[32] Although this communication was sent before the reporting period, a reply was received during the period covered by this report

[33] A/HRC/22/47/Add.4, para. 223

223. JUA 27/03/2013 Case no: ISR 4/2013 State reply: none to date

Alleged arrest, ill-treatment and arbitrary detention of a human rights defender.

224. JUA 02/08/2013 Case no: ISR 7/2013 State reply: none to date

Alleged judicial harassment, stigmatisation, physical attacks, allegations of torture in custody, possible acts of reprisals and an assassination attempt against a human rights defender.

Observations

225. The Special Rapporteur regrets that at the time of the finalisation of this report, the Government had not transmitted a reply to any of her three communications sent during the reporting period. She wishes to express her concern at the reported increased restrictions to the activities of human rights defenders working in Israel and the Occupied Palestinian Territory, including raids on human rights organisations in Ramallah. She is also concerned regarding information she has received concerning arrests and arbitrary detention of human rights defenders, and allegations of torture or other cruel, inhumane or degrading treatment or punishment and the denial of access to a lawyer. The Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

226. The Special Rapporteur also expresses concern regarding the Government's alleged justification for these arrests, raids and seizures, including 'terrorist' or 'illegal' affiliation. She is concerned that this may be based on an overly broad definition of terrorism, leading in consequence to restrictions on human rights defenders' right to freedom of opinion and expression, and on their ability to effectively carry out their legitimate and peaceful human rights activities.

227. The Special Rapporteur expresses serious concern at the allegations of ongoing judicial harassment against Mr. Issa Amro and the intimidation directed against him and members of Youth Against Settlement (YAS), as mentioned in the communication dated 2 August 2013. The Special Rapporteur would like to reiterate her concerns that this could be as a result of Mr. Amro's co-operation with UN bodies as expressed in the joint public statement published on 13 August 2013[34]. Furthermore, she reminds the Government of Israel that everyone has the right to "unhindered access to and communicatin with international bodies".[35] She would like to reiterate her concern for Mr. Amro's physical and psychological integrity, given the attacks against him and the YAS centre and the seriousness of the allegations, namely that he has received a number of death threats and that he was tortured while in custody.

Kazakhstan

228. JUA 05/12/2012 Case no: KAZ 7/2012 State reply: 29/01/2013

Alleged sentencing of the chair of the Co-ordination Committee of the People's Party — "Alga!" and lawsuit against independent media outlets in the wake of his trial.

[34] "Israel must stop harassment, intimidation and abusive treatment of rights defender Issa Amro" (13/08/2013) http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13626&LangID=E

[35] A/HRC/RES/22/6/OP13

229. JUA 15/01/2013 Case no: KAZ 1/2013 State reply: 11/02/2013

Alleged conviction of human rights defender following alleged ill-treatment while in detention and violations of fair trial standards.

230. JUA 22/03/2013 Case no: KAZ 2/2013 State reply: 27/05/2013

Alleged imminent risk to the physical and psychological integrity of a human rights defender, who was sentenced to 12 years of imprisonment after proceedings that did not comply with the international standards of fair trial, access to legal assistance, freedom from torture and arbitrary detention.

231. JUA 22/08/2013 Case no: KAZ 4/2013 State reply: none to date

Alleged psychiatric detention of two mentally fit human rights defenders.

Observations

232. The Special Rapporteur would like to thank the Government for the three replies received to the four communications sent during the reporting period. She is concerned that, at the time of finalising this report, no reply had been received to the communication sent on 22 August 2013 on the situation of human rights lawyer, Ms. Zinaida Moukhortova, regarding allegations received indicating that she had been subject to forced psychiatric treatment. The Special Rapporteur considers the allegations very serious and trusts that a response will be provided shortly.

233. The Special Rapporteur would like to reiterate her concern regarding the situation of Mr. Vadim Kuramshin, as mentioned in the communication dated 22 March 2013. She is concerned about his physical and psychological integrity, and the allegations received reiterating that it is directly linked to his human rights activities.

234. The Special Rapporteur would like to thank the Government of Kazakhstan for responding favourably to her requests to visit the country (2011, 2012) and regrets that she was not able to carry out a visit before the end of her tenure.

Kenya

235. JAL 28/03/2013 Case no: KEN 1/2013 State reply: none to date

Alleged undue blanket restrictions on public gatherings.

236. JUA 31/07/2013 Case no: KEN 3/2013 State reply: none to date

Alleged harassment and intimidation of families of victims of enforced disappearances and of eight human rights defenders from a local NGO for perceived cooperation with the Working Group on Enforced and Involuntary Disappearances (WGEID).

237. JAL 04/09/2013 Case no: KEN 4/2013 State reply: none to date

Alleged killing of a member of a human rights organisation.

238. JUA 26/09/2013 Case no: KEN 5/2013 State reply: none to date

Alleged killing of human rights lawyer and alleged harassment and intimidation of families of victims of enforced disappearances and human rights defenders, including for cooperating with the Working Group on Enforced and Involuntary Disappearances.

239. JUA 23/09/2013 Case no: KEN 6/2013 State reply: none to date

Allegations of threats against a human rights defender and his family.

240. JAL[36] 15/11/2013 Case no: KEN 8/2013 State reply: none to date

Alleged legislative developments that could unduly restrict the rights to freedom of association and expression.

Observations

241. The Special Rapporteur deeply regrets that, at the time of the finalisation of this report, no response had been transmitted to any of the six communications sent during the reporting period, particularly due to the serious allegations that were raised therein.

242. The Special Rapporteur expresses grave concern regarding information that she has received of alleged killings of human rights defenders and harassments and intimidation of human rights defenders and their families. She urges the Government to duly investigate these cases and ensure that perpetrators will be brought to justice and that the families of the victims that were killed will obtain adequate redress. The Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

243. The Special Rapporteur expresses particular concern regarding information that she has received that the incidents of harassment and intimidation against human rights defenders and the killing of the human rights lawyer Mr. Peter Wanyama Wanyoni could be considered as reprisals for their cooperation with UN human rights mechanisms, in this case the Working Group on Enforced of Involuntary Disappearances. In this regard, she strongly urges the Government of Kenya to ensure that human rights defenders can carry out their legitimate activities in a safe and an enabling environment; this includes through safe and unhindered access to international human rights bodies such as the United Nations, its mechanisms and representatives in the field of human rights, without fear of harassment, stigmatisation or criminalisation of any kind.[37]

244. As mentioned in the communication dated 23 September 2013, the Special Rapporteur remains concerned regarding information that she has received of alleged threats by a militia group to burn down the house of Mr. Maina Kai, Special Rapporteur on the rights to freedom of peaceful assembly and of association, and his family. In this regard, the Special Rapporteur expresses further concern regarding information that she has received of increased intimidation and harassment of human rights defenders in Kenya engaged in fighting impunity and ensuring accountability for the 2007 and 2008 post-election violence and for their involvement in cases before the International Criminal Court.

245. She also expresses her concern regarding the security and the physical and psychological integrity of human rights defenders exercising their right to associate freely and assemble peacefully, following reports that she has received of excessive use of force by police and military forces during demonstrations and the use of firearms against demonstrations, which resulted in serious injuries and the death of one of the demonstrators.

246. The Special Rapporteur is also concerned with information that she has received regarding undue restrictions on freedom of peaceful assembly and association, including a blanket ban that was imposed on all public gatherings after the release of the results of the presidential election on 24 March 2013. She is also concerned regarding the alleged amendment of the Statute Law (Miscellaneous Amendments) Bill presented to Parliament on 30 October 2013, which lacks clarity and might be opened up to interpretations that would unduly limit the rights to freedom of association, opinion and expression. She would like to reiterate the concerns that she voiced in a joint press release on 3 December 2013

[36] This is actually an OL, but we should define that in the first page if we are going to say that.
[37] A/HRC/RES/22//OP13

that the amendments to the regulations of associations contained in the draft law could have profound consequences for civil society organisations in Kenya, including for those involved in human rights work, and could deter individuals from expressing dissenting views.[38]

Kyrgyz Republic

247. JAL 30/09/2013 Case no: KGZ 2/2013 State reply: 22/11/2013

Alleged proposed legal amendments, which would significantly impinge on the right to freedom of association and the right to defend human rights.

Observations

248. The Special Rapporteur thanks the Government for the response received to the communication sent during the reporting period. She regrets that, at the time of finalising this report, the translation of the response into English was not available.

249. The Special Rapporteur reiterates her interest in visiting the country and regrets that to date her request to conduct such a visit (2012) has not received an answer.

Lao People's Democratic Republic

250. JAL 20/12/2012 Case no: LAO 2/2012 State reply: none to date

Allegations of expulsion of a staff member belonging to an international non-governmental organisation from the Lao People's Democratic Republic.

251. JAL 20/12/2012 Case no: LAO 3/2012 State reply: 03/01/2013
25/03/2013
10/06/2013

Allegations of enforced disappearance of a human rights defender working on issues of land grabbing and assisting victims to speak out about their experiences.

252. JAL 11/10/2013 Case no: LAO 1/2013 State reply: 06/12/2013

Alleged violation of the right to freedom of association

Observations

253. The Special Rapporteur thanks the Government of Lao People's Democratic Republic (PDR) for the detailed responses transmitted to her communication sent 20 December 2012 and 11 October 2012. However, she regrets that no response has been received to the other communication sent during her reporting period.

254. With regards to the disappearance of Mr. Sombath Somphone, the Special Rapporteur expresses grave concern that his disappearance might be related to his legitimate work on land rights in Lao PDR. The Special Rapporteur takes note of the response from the Government of Lao PDR that the investigation is ongoing and that perpetrators will be brought to justice. She would like to reiterate the concerns that she voiced in a joint press release on 16 December 2013 that Mr. Somphone's disappearance might have a chilling effect on human rights defenders operating in the country, owing to

[38] "Kenya: Statute Law Bill poses grave threat to civil society and must be rejected – UN rights experts" (3/12/2013) : http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14055&

his high profile at the national and international levels.[39] In this regard, she urges the Government of Lao PDR to ensure that human rights defenders are able to carry out their work in a safe and enabling environment without fear of harassment of any sort.

255. With regards to the draft Guidelines for the implementation of the Prime Minister's Decree on International Non-Governmental Organisations, the Special Rapporteur welcomes the assurance from the Government of Lao PDR in the reply on 6 December 2013 that these Guidelines are a work in progress in consultation with all development partners and stakeholders, including International NGOs working in the country.

Libya

256. JAL 09/01/2013 Case no: LBY 3/2012 State reply: none to date

Alleged lack of compliance of new law on peaceful assembly with international standards related to freedom of peaceful assembly and to freedom of opinion and expression.

Observations

257. The Special Rapporteur regrets that so far no reply has been received in response to her communication sent during the reporting period. In this connection, the Special Rapporteur expresses concern at the passing of Law no. 65/2012, which aims at regulating peaceful assembly in Libya. Several of the articles contained within the legislation do not comply with international human rights standards. For instance, article 4 reportedly provides for the establishment of a committee of organisers responsible for maintaining public order. Further, article 6 (a) reportedly gives the authorities the power to change the time and place of an assembly, which may prevent individuals from delivering their message to their target audience.

258. The Special Rapporteur calls on the Government of Libya to ensure a safe and conducive environment for human rights defenders in compliance with the Declaration on Human Rights Defenders, where their psychological and physical integrity is ensured, and where they do not face acts of harassment and intimidation.

The former Yugoslav Republic of Macedonia

259. JUA 17/05/2013 Case no: MKD 1/2013 State reply: 21/06/2013

Alleged attack on LGBT rights defenders.

260. JUA 05/07/2013 Case no: MKD 2/2013 State reply: none to date

Allegations of on-going harassment of lesbian, gay, bisexual, transgender and intersex (LGBTI) rights defenders.

Observations

261. The Special Rapporteur thanks the Government for the reply transmitted to one of the two communications sent during the reporting period but regrets that, at the time of finalising this report, no response had been received to the communication sent on 5 July 2013. Concerning attacks and harassment of LGBTI defenders, the Special Rapporteur

[39] "A year on, the enforced disappearance of Sombath Somphone continues with impunity in Lao PDR" (16/12/2013): http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14103&LangID=E

takes note that an investigation is underway and looks forward to receiving additional information on the allegation in the communication sent on 17 May 2013.

262. Given the nature and profile of the allegations received during the reporting period, the Special Rapporteur would like to express her concern regarding the physical and psychological integrity of those working and advocating for the rights of LGBTI people and working to promote equality and non-discrimination, particularly in exercising their right to freedom of opinion and expression and of peaceful assembly.

Malaysia

263. JAL 05/10/2012[40] Case no.: MYS 12/2012 State reply: 06/02/2013

Allegations of on-going harassment of the non-governmental organisation Suara Rakyat Malaysia (SUARAM).

264. JAL 12/02/2013 Case no: MYS 2/2013 State reply: none to date

Allegations of on-going investigations against members of the non-governmental organisation Suara Rakyat Malaysia (SUARAM), under the Peaceful Assembly Act 2012.

265. JUA 03/06/2013 Case no: MYS 4/2013 State reply: none to date

Allegations of harassment and arrest of activists and political leaders participating in demonstrations following the conclusion of the last national elections on 5 May 2013

266. JUA 19/06/2013 Case no: MYS 5/2013 State reply: none to date

Allegations of new instances of harassment and arrest of activists and political leaders participating in demonstrations following the conclusion of the general election held on 5 May 2013.

267. JAL 12/07/2013 Case no: MYS 6/2013 State reply: none to date

Allegations of arrest of, and possible charges against, three organisers of a private screening of a human rights documentary.

268. JAL 16/08/2013 Case no: MYS 8/2013 State reply: 20/08/2013

Allegations of investigation of a human rights defender under the Sedition Act 1948.

269. JAL 26/09/2013 Case no: MYS 10/2013 State reply: none to date

Proceedings allegedly initiated against a human rights defender

270. JAL 18/11/2013 Case no: MYS 12/2013 State reply: none to date

Allegations of arrest of, and possible charges against, 19 demonstrators during a peaceful protest against the demolition of Kampung Hakka Mantin historical village, which could lead to the forced eviction of many local residents.

Observations

271. The Special Rapporteur takes note of the acknowledgement of receipt for the communication sent on 16 August 2013. She regrets that, at the time of the finalisation of

[40] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

this report, no substantive response had been transmitted to the seven communications sent during the reporting period. The Special Rapporteur also notes that this is a significantly less favourable record compared to the substantive responses received to six of the seven communications sent during the previous reporting period.[41]

272. The Special Rapporteur expresses her concern regarding reports that she has received of harassment and undue investigations and arrests of staff and secretariat members of NGOs under section 9 of the Peaceful Assembly Act 2012 ("Notification of Assembly"), the Sedition Act 1948 and the Film Censorship Act 2002.

273. The Special Rapporteur also expresses her concern regarding incidents of excessive use of force against demonstrators and arrest of human rights defenders for organising peaceful demonstrations and rallies under the Peaceful Assembly Act.

274. The Special Rapporteur regrets that so far no reply has been received in response to her request to visit Malaysia (2010) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

Maldives

275. JUA 21/10/2013 Case no: MDV 4/2013 State reply: none to date

Alleged undue investigation of three NGOs and threats directed towards the staff of one of them.

Observations

276. The Special Rapporteur regrets that, at the time of the finalisation of this report, no response had been transmitted to the communication sent during the reporting period. The Special Rapporteur expresses her concern regarding the reports received of harassment and threats against the staff of NGOs. She is also concerned with regards to the investigation into NGOs and the threats of dissolving them. The Special Rapporteur urges the Government to take the necessary measures to ensure that an environment exists in which human rights defenders are able to carry out their activities without fear of persecution or restriction of any sort.

México

277. JUA 15/03/2013 Case no: MEX 2/2013 State reply: none to date

Presuntos actos de hostigamiento contra colaboradores de la Comisión de la Verdad para la Investigación de las Violaciones a los Derechos Humanos Durante la Guerra Sucia de los años sesenta y setentas del Estado de Guerrero.

278. JAL 13/08/2013 Case no: MEX 7/2013 State reply: 25/10/2013

Presunto secuestro de migrantes y amenazas de muerte y actos de intimidación contra defensores de los derechos de migrantes.

[41] A/HRC/22/47/Add.4, paras. 258 - 270

279. JUA 06/11/2013 Case no: MEX 9/2013 State reply: 04/12/2013

Presuntos arrestos, actos violencia por parte de las fuerzas del orden, denegación de tratamiento médico en detención así como amenazas contra defensoras de derechos humanos y sus familiares.

280. JUA 26/11/2013 Case no: MEX 10/2013 State reply: none to date

Presunto clima de violencia, intimidación y hostigamiento a defensores y defensoras de derechos humanos que trabajan en defensa del acceso a la tierra y a los recursos naturales.

281. JUA 21/11/2013 Case no: MEX 11/2013 State reply: none to date

Presuntos allanamientos repetidos del domicilio de un defensor de derechos humanos, así como detención arbitraria, uso excesivo de la fuerza y actos de tortura y malos tratos contra él y otras cuatro personas.

Observaciones

282. La Relatora Especial agradece al Gobierno las respuestas recibidas a dos de las cinco comunicaciones enviadas durante el periodo del presente informe, así como por la información proporcionada acerca de las medidas de protección adoptadas para garantizar la integridad física de los defensores y defensoras de derechos humanos. Sin embargo, la Relatora lamenta que, en el momento de finalizar este informe, no se había recibido respuesta a tres de las comunicaciones enviadas durante el periodo del presente informe ni tampoco a las seis comunicaciones del periodo anterior que no obtuvieron respuesta en su momento.[42]

283. La Relatora reitera su profunda preocupación sobre las alegaciones recibidas indicando la persistencia de un clima de violencia e inseguridad para los defensores y defensoras en México. En particular, la Relatora Especial se muestra seriamente preocupada por la situación de riesgo que afecta a los defensores que trabajan por el derecho al acceso a la tierra y recursos naturales a menudo en el contexto de comunidades indígenas y campesinas afectadas por las operaciones de industrias del sector energético y extractivo; a los que trabajan por los derechos de los migrantes; a las defensoras y los defensores que trabajan por los derechos de las mujeres, y a los que trabajan contra la impunidad.

284. La gravedad de los casos que han llegado a la Relatora es una muestra de una situación de inseguridad extrema para los defensores y defensoras en México. En este contexto, la Relatora nota con preocupación las alegaciones recibidas acerca de la involucración de agentes estatales en actos de violencia y malos tratos contra defensores.

285. En este contexto, la Relatora considera preocupante la información recibida sobre el incumplimiento de algunas de las medidas cautelares otorgadas por la Comisión Interamericana de Derechos Humanos a defensores y defensoras. Además, la Relatora quisiera señalar que algunos de los casos enviados durante el periodo del presente informe eran beneficiarios de protección por parte del Mecanismo Nacional de Protección lo que considera información preocupante ya que, a su juicio, mostraría que existen ciertas deficiencias en la implementación de dicho mecanismo.

286. La Relatora Especial quisiera de nuevo llamar la atención acerca del alto nivel de impunidad que prevalece en torno a las violaciones cometidas con los y las defensoras en el país. Le gustaría destacar la importancia de que se lleven a cabo investigaciones prontas, eficaces e imparciales sobre violaciones cometidas contra de defensores y defensoras, que

[42] A/HRC/22/47/Add.4, paras. 273-289

los responsables sean traducidos en justicia y que las víctimas reciban una reparación adecuada. La lucha contra la impunidad es esencial para combatir y prevenir las violaciones de los derechos de los y las defensoras.

287. La Relatora Especial reitera su disponibilidad a ofrecer asistencia al Gobierno y confía en que su solicitud de visitar el país (2011) sea considerada favorablemente.

Republic of Moldova

288. JUA 08/02/2013 Case no: MDA 1/2013 State reply: 09/04/2013

Alleged risks to the physical and psychological integrity of two representatives of the GENDERDOC-M Information Centre, in view of insults and threats received during court hearings.

289. JAL 17/05/2013 Case no: MDA 2/2013 State reply: 28/06/2013

Allegations relating to a re-routing of the 2013 Chisinau Pride Parade.

289. JAL 29/07/2013 Case no: MDA 4/2013 State reply: 08/11/2013

Alleged risk of restrictions on the rights to freedom of expression, association and peaceful assembly.

Observations

290. The Special Rapporteur welcomes the responses to all three communications sent during the present reporting period.

However, the Special Rapporteur expresses concern at the hostile environment in which human rights defenders promoting the rights of the LGBTI community operate in the Republic of Moldova. In this connection, she would like to reiterate her concerns in the communication dated 29 July 2013 regarding the adoption on 23 May 2013 of Law no. 117 to amend the Contravention Code no. 218-XVI of 29 October 2008. Specifically, the amendment to article 90 on public activity with a negative impact on minors now stipulates that the distribution of public information (with or without criminal intent) on "relations other than those of the family and marriage as specified in the Family Code" will entail sanctions. The Special Rapporteur acknowledges the Ministry of Interior's Implementation Instruction for article 90, dated 26 July 2013, and expresses her sincere hope that authorities will adopt the necessary measures to ensure that defenders working for the rights of the LGBTI community can work in a safe and enabling environment without fear of violence or harassment of any sort.

Myanmar

291. JUA 13/12/2012 Case no: MMR 12/2012 State reply: none to date

Alleged re-arrest and detention of former prisoner of conscience.

292. JAL 18/03/2013 Case no: MMR 1/2013 State reply: none to date

Allegations of restrictions on the right to freedom of peaceful assembly not in compliance with international norms and standards.

293. JUA 15/04/2013 Case no: MMR 4/2013 State reply: none to date

Alleged charges brought against political science teacher and founder of the Olive Branch capacity building centre for community education.

294. JUA 02/05/2013 Case no: MMR 6/2013 State reply: 01/07/2013

Alleged excessive use of force by riot police and military to remove farmers from land around Letpadaung copper mine in Sagaing Region, Myanmar, and reported charges and detention of persons involved in a protest at the site.

295. JAL 11/06/2013 Case no: MMR 9/2013 State reply: 22/07/2013

Alleged excessive use of force by law enforcement officials against a group of Rohingyas engaged in a peaceful protest, which included the fatal shooting of three Rohingya women.

296. JUA 20/06/2013 Case no: MMR 10/2013 State reply: 16/08/2013
05/10/2013

Allegations of continuous targeting of human rights activists, including peaceful demonstrators, defending and promoting economic and social rights in Myanmar.

297. JUA 16/07/2013 Case no: MMR 11/2013 State reply: 15/08/2013

Alleged arbitrary arrest and detention of human rights defender in Myanmar for a 2011 poster campaign calling for the release of political prisoners.

298. JAL 22/07/2013 Case no: MMR 12/2013 State reply: 29/10/2013

Alleged death in custody following torture.

299. JUA 24/07/2013 Case no: MMR 13/2013 State reply: 30/08/2013

Alleged arbitrary detention of Rohingya Muslim community leader and human rights defender in relation to a population verification exercise in Rakhine State, Myanmar.

300. JUA 03/10/2013 Case no: MMR 14/2013 State reply: 26/12/2013

Allegations of continuous targeting of peaceful demonstrators and human rights defenders opposing a mining project.

301. JUA 27/11/2013 Case no: MMR 16/2013 State reply: none to date

Allegation of physical attacks against human rights defender in Myanmar, and violation of his rights to freedom of opinion and expression, freedom of peaceful assembly and of association and freedom of religion or belief.

Observations

302. The Special Rapporteur thanks the Government of Myanmar for the detailed responses provided to seven of the 11 communications sent during the reporting period. However, the Special Rapporteur regrets that no reply has been received from the Government to any of the four other communications sent during the reporting period, particularly due to the grave concerns that were raised therein.

303. The Special Rapporteur takes note of the recent steps by the President of Myanmar's in October and December 2013 of releasing 100 prisoners of conscience in Myanmar. However, despite these positive developments in the country, she would like to reiterate her grave concerns regarding information that she has received of continued arbitrary arrest and detention of human rights defenders, including allegations of torture and ill-treatment while in detention and refusal of access to lawyers. In this context, the Special Rapporteur would like to reiterate the concerns that have previously been expressed by the Special Rapporteur on the situation of human rights in Myanmar, Mr. Tomás Ojea Quintana, regarding reports received of torture being routinely used by police officers with the aim of extracting confessions. In this regard, she would like to reiterate the need to combat the culture of impunity that exists for acts of torture in police stations, prisons and in other places of

detention, particularly during the interrogation of suspects. The Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

304. The Special Rapporteur would like to further express her concern regarding reports of excessive use of force by law enforcement officials during peaceful protests, and in particular cases of severe injuries and killings of protesters. In this regard, she would like to encourage the Government of Myanmar to take all necessary measures to protect defenders during protests and to refrain from the use of excessive force against protesters. The Special Rapporteur recommends the Government to enforce a code of conduct on law enforcement officials, particularly with regard to crowd control and the use of force. She further recommends the Government to ensure that the legal framework contains effective provisions for the oversight and accountability of law enforcement officials.

305. The Special Rapporteur further expresses her concern regarding provisions which curtail the right to freedom of peaceful assembly in the Decree on the Right to Peaceful Assembly and Peaceful Procession adopted on 5 July 2012. The Special Rapporteur is available to provide guidance and assistance the Government might require.

Nepal

306. JUA 22/03/2013 Case no: NPL 1/2013 State reply: none to date

Alleged threats of violence widely published in mass media and official harassment of human rights defenders and an alleged physical attack against a human rights defender.

307. JUA 28/03/2013 Case no: NPL 2/2013 State reply: none to date

Alleged undue delays in registration proceedings of a non-governmental organisation, and alleged instances of harassment and arbitrary arrest on the part of the authorities against LGBT individuals.

308. JUA 13/06/2013 Case no: NPL 3/2013 State reply: none to date

Allegations of violent dispersal by law enforcement authorities of peaceful demonstrations organised by Kamlari activists in Nepal.

Observations

309. The Special Rapporteur regrets that, at the time of the finalisation of this report, no response had been transmitted to any of the three communications sent during the reporting period.

310. The Special Rapporteur expresses grave concern of violent dispersal and arrests of protesters during a peaceful sit-in protest by police forces, including sexual assaults of female protesters.

311. The Special Rapporteur is also concerned about reports received of threats and stigmatising remarks against human rights defenders in the media. She is particularly concerned with allegations of calls for "people's action", which have led to violent physical attacks of these defenders. The Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

312. The Special Rapporteur also expresses her concern regarding reports of undue delays in the procedure to renew the registration of a NGO working to promote respect for the rights of LGBT persons. She further expresses her concern regarding arbitrary arrests, harassment, intimidation by the police and ill-treatment in detention of its members.

313. The Special Rapporteur regrets that, at the time of finalising this report, no reply has been received in response to her multiple requests for a country visit to Nepal (2008, 2009, 2012) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

Nigeria

314. JUA 17/04/2013 Case no: NGA 2/2013 State reply: 29/08/2013

Alleged arbitrary detention of two NGO workers and harassment of evictees.

315. JAL 13/06/2013 Case no: NGA 4/2013 State reply: none to date

Alleged restrictions on the rights to freedom of association and of peaceful assembly of groups defending lesbian, gay, bisexual, and transgender (LGBT) rights.

Observations

316. The Special Rapporteur thanks the Government of Nigeria for its response to the communication sent on 17 April 2013, but she regrets that no response was received to the communication sent 13 June 2013.

317. The Special Rapporteur expresses her concern regarding reports received of arrests, detention and harassment of human rights defenders in Nigeria. The Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

318. The Special Rapporteur deeply regrets the passing of the Same Sex Marriage Prohibition Act by President in January 2014. She would like to reiterate her concerns that this legislation unduly limits the free exercise of the rights to freedom of association, assembly and opinion and expression, which are not only basic rights but essential to claim other rights. Furthermore, she is concerned that this legislation might prevent human rights defenders and activists defending the human rights of LGBT persons and those working to prevent transmission of HIV, to peacefully advocate for dissenting views and exercise their legitimate rights.

Norway

319. JUA 04/04/2013 Case no: NOR 1/2013 State reply: none to date

Alleged imminent risk of deportation of a human rights defender who may be at risk of enforced disappearance, torture and killing by Pakistani security forces, if forcibly returned to Pakistan.

Observations

320. The Special Rapporteur regrets that, at the time of finalising this report, there had been no response to the communication sent during the reporting period. She trusts that a response will be provided shortly given the seriousness of the allegations addressed therein.

Oman

321. JUA 27/02/2013 Case no: OMN 1/2013 State reply: 20/03/2013
21/03/2013

Alleged hunger strike by human rights defenders in detention in protest at their convictions, and undue delays in judicial proceedings.

Observations

322. The Special Rapporteur welcomes the responses transmitted to her communication sent during the reporting period regarding eleven human rights defenders sentenced for crimes related to injurious speech and use of information technology and assembly. The Special Rapporteur welcomes the confirmation in the reply by the Government that the eleven human rights defenders would be liberated on 22 March 2013.

323. The Special Rapporteur regrets that to date no reply has been received in response to her request to visit Oman (2012) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide any technical assistance the Government might require.

Pakistan

324. JUA 12/10/2012[43] Case no.: PAK 11/2012 State reply: 27/03/2013

Alleged assassination attempt against an advocate for girl's education by the Tehrik-i-Taliban Pakistan (TTP).

325. JAL 01/02/2013 Case no: PAK 1/2013 State reply: 04/02/2013

Alleged killing of seven human rights defenders working for the non-governmental organisation Support with Working Solutions (SWWS).

326. JAL 22/03/2013 Case no: PAK 2/2013 State reply: 25/03/2013

Allegations of forced cessation of activities of a human rights non-governmental organisation working on, inter alia, women's rights in Gilgit-Baltistan.

327. JUA 12/07/2013 Case no: PAK 4/2013 State reply: 18/07/2013

Alleged killing of a woman human rights defender and her sister, as well as attacks and death threats against, her family members.

328. JUA 04/09/2013 Case no: PAK 5/2013 State reply: 04/09/2013

Alleged serious acts of violence and ill-treatment of women and threats to journalists and human rights defenders

Observations

329. The Special Rapporteur takes note of the acknowledgements of receipt to all four communications sent to the Government of Pakistan during the present reporting period,

[43] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

and she looks forward to a substantive response from the Government given the seriousness of the allegations presented. Moreover, the Special Rapporteur acknowledges the receipt on 27 March 2013 of the state response to a communication sent in the previous reporting period (PAK 11/2012),[44] and she welcomes the action taken to investigate the serious attack on Ms Malala Yousafzai, and to support her family in medical treatment.

330. The Special Rapporteur expresses grave concern for the physical and psychological integrity of human rights defenders and their family members in Pakistan following reports that she has received of violence, torture, attempted killings and killings of human rights defenders. She is also concerned regarding information received of killings of family members of human rights defenders and death threats directed towards them. In this regard, the Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

331. She expresses further concern regarding allegations of defamation campaigns and threats against human rights defenders, as well as the forced closure of an NGO working for women's rights and girls' education.

332. The Special Rapporteur regrets that so far no reply has been received in response to her requests to visit Pakistan (2008, 2010) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide any guidance or assistance the Government might require.

Paraguay

333. JUA 10/12/2012 Case no: PRY 4/2012 State reply: 16/01/2013

Presunto asesinato de un destacado defensor de los derechos humanos, y presunto riesgo para la integridad física y psicológica de miembros de su familia.

334. JAL 10/09/2013 Case no: PRY 1/2013 State reply: none to date

Aprobación de modificaciones a la Ley de Defensa Nacional y Seguridad Interna y presunto acto intimidatorio por parte de agentes de seguridad del Estado contra organizaciones que expresaron su oposición a dicha reforma legal.

Observaciones

335. La Relatora Especial agradece al Gobierno la respuesta a una de las dos comunicaciones enviadas durante el periodo del presente informe. Sin embargo, la Relatora expresa preocupación con la falta de respuesta a la comunicación fechada 10 de septiembre de 2013.

336. La Relatora expresa consternación por el asesinato del Sr. Vidal Vega, mencionado en la comunicación fechada 10 de diciembre de 2012. El Sr Vega era un destacado defensor y un testigo clave en la investigación del Ministerio Público de los enfrentamientos violentos que ocurrieron el 15 de julio de 2012 en Curuguaty, y confía en que la investigación sobre este asesinato proceda de forma eficaz, que los culpables sean traducidos en justicia y que los familiares de la víctima reciban reparación adecuada.

337. Asimismo, la Relatora Especial se muestra preocupada por la información recibida indicando actos de intimidación por parte de fuerzas del orden en relación con las modificaciones a varios artículos de *la Ley de Defensa Nacional y Seguridad Interna*, aprobadas el 22 de agosto de 2013.

[44] A/HRC/22/47/Add.4, para. 325

Peru

338. JAL 21/06/2013 Case no: PER 1/2013 State reply: 28/10/2013

Supuesta utilización de las Fiscalías Especiales de Prevención del Delito para limitar protestas sociales, perseguir y hostigar a defensores de derechos humanos y líderes sociales así como para restringir indebidamente los derechos de libertad de expresión y de reunión pacífica.

Observaciones

339. La Relatora Especial agradece la respuesta detallada recibida a la comunicación enviada durante el periodo del presente informe. La Relatora toma nota del marco rector existente para la interpretación y ejercicio del derecho de reunión pacífica. Asimismo, la Relatora anima al Estado a perserverar en sus esfuerzos por instaurar una cultura del diálogo y la mediación en situaciones de tensión social entre comunidades locales, sector privado y autoridades en el contexto de mega-proyectos donde operan industrias extractivas.

340. La Relatora aprovecha la ocasión para reiterar que la protesta social pacífica es, además de un derecho fundamental, un elemento esencial en sociedades democráticas y participativas, y que cualquier restricción del mismo debe ser sujeta al más estricto escrutinio, respetando los principios básicos de legalidad, necesidad y proporcionaildad.

Philippines

341. JUA 28/12/2012 Case no: PHL 7/2012 State reply: none to date

Alleged continued wave of harassment, stigmatisation, threats, and killings of human rights defenders, in particular environmental and indigenous rights defenders, many of whom are women human rights defenders and indigenous leaders.

342. JAL 22/08/2013 Case no: PHL 2/2013 State reply: none to date

Alleged killings of three journalists in the space of two days in the Philippines.

Observations

343. The Special Rapporteur regrets that, at the time of the finalisation of this report, no response had been transmitted to the two communications sent during the reporting period.

344. The Special Rapporteur expresses grave concern regarding an extremely violent and increasingly dangerous environment for human rights defenders to conduct their peaceful work in the Philippines. She is particularly concerned regarding reports that she has received of brutal killings, including killings of relatives and children of human rights defenders, torture, ill-treatment in detention, arrests, threats, harassment and forced displacement of environmental and indigenous rights defenders. She also expresses grave concern of alleged killings of journalists for having reported on corruption. She expresses her sincere hope that all of these cases will be duly investigated, that perpetrators will be brought to justice and that the families of the victims that were killed will obtain adequate redress. The Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

345. The Special Rapporteur regrets that to date no reply has been received in response to her request to visit the Philippines (2008, 2010, 2012) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her

hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

Qatar

346. JUA 16/01/2013 Case no: QAT 1/2013 State reply: 12/02/2013

Alleged immediate risk of extradition of a former diplomat to Saudi Arabia, where there are substantive grounds to believe that he would be in danger of being subjected to torture and harsh sentences.

Observations

347. The Special Rapporteur welcomes the Government's response to the communication sent during the reporting period. The Special Rapporteur is pleased to note the National Human Rights Committee in Qatar for having assisted Mr. Al Mutiry and his family to travel outside the country on 18 January 2013.

Republic of Korea

348. JUA 21/06/2012[45] Case no: KOR 3/2012 State reply: 5/02/2013

Alleged denial of entry to the Republic of Korea of a Philippines National, despite his valid travel documents

349. JAL 11/06/2013 Case no: KOR 1/2013 State reply: 14/08/2013

Alleged forced eviction of residents living in Jagatsinghpur District, Odisha, and surrounding areas in India.

350. JAL 03/07/2013 Case no: KOR 2/2013 State reply: 15/11/2013

Alleged defamation lawsuit filed by the National Intelligence Service (NIS) against three human rights lawyers for action taken in their professional capacity.

Observations

351. The Special Rapporteur thanks the Government for the replies to the two communications sent during the reporting period and for the response received to one of the communications sent during the previous period (KOR 3/2012).[46]

352. The Special Rapporteur conducted a country visit to the Republic of Korea during the reporting period and would like to thank the Government for accepting her request to visit the country and for the excellent cooperationthroughout the process.

353. In the report about her visit,[47] the Special Rapporteur highlights that human rights defenders are generally able to carry out their work freely but she observes that the environment in which they operate is quite polarised and not always sufficiently conducive to the defence and promotion of human rights and fundamental freedoms. This seems to stem from the lack of trust between defenders and authorities, and from important shortcomings in the legal framework including the framework governing the exercise of basic freedoms, such as the rights to freedoms of opinion and expression, of peaceful

[45] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

[46] A/HRC/22/47/Add.4, para. 343

[47] A/HRC/55/Add.1

assembly and of association. She underlines that legislation pertaining to national security, and the complex geopolitical situation in the Korean peninsula, also have a restrictive impact on the environment in which defenders operate.

354. The Special Rapporteur believes that, for effective dialogue to take place, authorities, defenders and other stakeholders need to engage constructively with each other, exercise diplomacy and patience to communicate their positions and listen to each other's' arguments.

Russian Federation

355. JAL 12/12/2012 Case no: RUS 8/2012 State reply: 24/01/2013

Alleged impending first reading of the draft federal law No. 44554-6 introducing amendments to the Code of the Russian Federation on Administrative Offences regarding the —propaganda of homosexuality.

356. JAL 21/01/2013 Case no: RUS 1/2013 State reply: 18/03/2013

Allegations of repeated undue restrictions related to the right to freedom of peaceful assembly and of association affecting mostly human rights defenders and activists.

357. JAL 09/04/2013 Case no: RUS 2/2013 State reply: 10/07/2013

Alleged increasing restrictions and obstacles being imposed on the space for civil society organizations and activists, especially for those active in the field of human rights, to operate.

358. JAL 13/06/2013 Case no: RUS 3/2013 State reply: none to date

Alleged implementation of a law leading to arbitrary and undue restrictions on the enjoyment of the right to freedom of association

359. JAL 12/07/2013 Case no: RUS 4/2013 State reply: 24/10/2013

Alleged attack against lesbian, gay, bisexual, transgender and intersex (LGBTI) rights activists and break-up of St. Petersburg Pride parade.

360. JAL 26/08/2013 Case no: RUS 6/2013 State reply: 13/11/2013

Allegations of possible eviction of human rights non-governmental organisations from their premises.

Observations

361. The Special Rapporteur thanks the Government for the replies transmitted to five of her six communications sent during the reporting period. She regrets that, at the time of finalising this report, no response had been received to her communication sent on 13 June 2013.

362. The Special Rapporteur is particularly concerned about the use of the legal and administrative framework to restrict the space in which human rights defenders operate, including by unduly curtailing basic rights and fundamental freedoms such as the rights to freedom of opinion and expression, association and peaceful assembly.

363. During the reporting period, the Special Rapporteur has reiterated her concern about the implementation of the Law on Introducing Amendments to Certain Legislative Acts Regarding the Regulation of Activities of Non-commercial Organisations Performing the Functions of Foreign agents (No. 7-FZ). According to the text, any non-commercial organisation carrying out political activity and receiving funding from sources outside the Russian Federation must register as a "foreign agent". The Special Rapporteur has warned

in a public statement issued on 14 May 2013, jointly with the Special Rapporteurs on freedom of opinion and expression and freedom of association and peaceful assembly,[48] about the "obstructive, intimidating and stigmatising" effects that the application of this law is having on human rights defenders and organisations.

364. Moreover, the Special Rapporteur is seriously concern about the use of this law to target and intimidate human rights organisations, which have engaged with the UN, its mechanisms and representatives in the field of human rights. She is concerned about the acts of reprisals against the NGOs Public Verdict Foundation and Anti-Discrimination Centre Memorial for having provided information to the UN Committee against Torture in the context of the examination of the Russian Federation by the Committee in November 2012. In this regard, the Special Rapporteur strongly urges the Government to ensure that human rights defenders can carry out their legitimate activities in a safe and an enabling environment; this includes through safe and unhindered access to international human rights bodies such as the United Nations, its mechanisms and representatives in the field of human rights, without fear of harassment, stigmatisation or criminalisation of any kind.[49] The case of these NGOs was the subject of the communication by the Special Rapporteur and other independent experts dated 13 June 2013. The Committee Against Torture has also raised these cases with the Government[50] and issued two public statements regarding reprisals, on 6 June 2013[51] and another one on 23 December 2013[52].

365. Moreover, the Special Rapporteur wishes to express her serious concern about the legislative amendments to Federal Laws regarding "propaganda of homosexuality among minors", non-commercial organisations, and also expresses concern at the implementation of Federal Act No. 54-FZ (19 June 2004). Together with other UN independent experts, she has publically warned that this legislation could be used to unduly restrict the activities of those advocating for the rights of LGBT individuals and "could further contribute to the already difficult environment in which these defenders operate, stigmatising their work and making them the target of acts of intimidation and violence".[53]

366. The Special Rapporteur would like to reiterate her availability to provide guidance and support to the Government of the Russian Federation in any issue related to the establishment and consolidation of a safe and enabling environment for human rights defenders, including through a conducive legal, institutional and administrative framework. She reiterates her interest in visiting the country since 2011, at a time convenient for the mandate and the authorities.

---

[48] "Russia: increasingly hostile environment for NGOs and rights defenders is unacceptable" (14/05/2013): http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13323&LangID=E

[49] A/HRC/RES/22/6/OP13

[50] Correspondence on reprisals by the Chairperson of CAT and the Rapporteur on reprisals, and replies from the Government, are available at http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/TBSearch.aspx?Lang=en&TreatyID=1&DocTypeID=130

[51] "UN rights experts seek assurances that Russian NGOs will not face reprisals" (6/06/2013)http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13417&LangID=E

[52] "Russian NGO Memorial: UN rights experts voice concern at court's 'foreign agent' ruling" (23/12/2013)http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14137&LangID=E

[53] "UN rights experts advise Russian Duma to scrap bill on 'homosexuality propaganda'" (1/02/2013): http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12964&LangID=E

Saudi Arabia

367. JUA 03/05/2012[54] Case no.: SAU 7/2012 State reply: 01/02/2013

Allegations of acts of intimidation, excessive use of force and arbitrary detention against individuals exercising peacefully their rights to freedom of association, of peaceful assembly and of expression.

368. JUA 25/05/2012[55] Case no.: SAU 8/2012 State reply: 12/02/2013

Alleged arbitrary arrest and torture in detention of a human rights lawyer, and false charges brought against him.

369. JUA 21/12/2012 Case no: SAU 13/2012 State reply: none to date

Alleged arbitrary detention of human rights defender.

370. JUA 01/02/2013 Case no: SAU 1/2013 State reply: none to date

Allegations of arbitrary arrest and detention of human rights defenders and other individuals.

371. JUA 27/03/2013 Case no: SAU 5/2013 State reply: none to date

Alleged prison sentences and travel bans not complying with human rights law and standards.

372. JAL 01/07/2013 Case no: SAU 6/2013 State reply: none to date

Alleged arbitrary investigation of individuals working on the defence and promotion of human rights.

373. JUA 12/09/2013 Case no: SAU 8/2013 State reply: none to date

Alleged crackdown against human rights defenders, including arrests, detention, unfair trials and the use of torture.

Observations

374. The Special Rapporteur regrets that, at the time of the finalisation of this report, the Government had not responded to any of her five communications sent during the present reporting period. She considers the allegations very serious as they refer to undue restrictions on a number of basic rights and freedoms which are fundamental to the activities of human rights defenders, and trusts that a substantive response will be provided shortly. However, the Special Rapporteur welcomes the state's responsesto two communications sent in the previous reporting period (dated3 May 2012 and 25 May 2012).[56]

375. Particular concern is expressed regarding reports of arbitraty arrests and detentionof peaceful protesters, including their children. The Special Rapporteur is also concerned regarding information of imposed travel bans, judicial harassment, unfair trials and the sentencing of human rights defenders on charges relating to "terrorism" and involvement with "illegal organisations". Furthermore, she is disturbed by reports that she has received of ill-treatment and torture of human rights defenders while in detention or serving prison sentences. In this regard, the Special Rapporteur would like to reiterate that the State has a

[54] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

[55] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

[56] A/HRC/22/47/Add.4, para. 363 and 364

duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

376. The Special Rapporteur is particularly concerned that human rights defenders in Saudi Arabia are being targeted and are facing lengthy prison sentences including for engaging with United Nations human rights mechanisms, and wishes to reiterate the right of everyone to "unhindered access to and communication with international bodies".[57] The Special Rapporteur is also very concerned by the court-ordered disbanding of the Saudi Arabia Civil and Political Rights Association (ACPRA), as mentioned in the communication dated 27 March 2013, involving the confiscation of its property and the closure of its social media accounts.

377. The Special Rapporteur regrets that to date no reply has been received in response to her request for a country visit to Saudia Arabia (2012) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

Serbia

378. JAL 03/04/2013 Case no: SRB 1/2013 State reply: none to date

Alleged threats and attack against a human rights defender working against discrimination and for the rights of lesbian, gay, bisexual and transgender people.

Observations

379. The Special Rapporteur regrets that, at the time of finalising this report, no response had been received to the communication sent during the reporting period. She trusts that a response will be provided shortly given the seriousness of the allegations addressed therein.

Sierra Leone

380. JUA 20/06/2013 Case no: SLE 1/2013 State reply: none to date

Alleged physical attack and threats against a lesbian, gay, bisexual, transgender and intersex (LGBT) rights defender.

Observations

381. The Special Rapporteur wishes to express her regret that, at the time of the finalisation of this report, the Government had not responded to the communication she sent during the reporting period. The Special Rapporteur is concerned for the physical and psychological integrity of human rights defenders working to protect the rights of lesbians, gays, bisexual, transgender and intersex individuals in Sierra Leone. In this regard, she calls upon the Government to ensure a safe and enabling environment for them to conduct their work without fear of their safety.

[57] A/HRC/RES/22/6/OP13

Singapore

382. JUA 10/12/2012 Case no: SGP 4/2012 State reply: 15/02/2013

Alleged legal sanctions brought against migrant public bus drivers from China in relation to a strike they undertook to demand equal pay.

Observations

383. The Special Rapporteur would like to thank the Government of Singapore for providing a detailed response to the communication sent on 10 December 2012.

Somalia

384. JUA 24/01/2013 Case no: SOM 1/2013 State reply: none to date

Alleged arrest and detention without charges of a Somali journalist reporting on a rape case, and questioning of other journalists.

385. JAL 30/07/2013 Case no: SOM 2/2013 State reply: none to date

Alleged killing of human rights defenders.

386. JAL 05/11/2013 Case no: SOM 5/2013 State reply: none to date

Alleged killing of human rights defender Mr. Mohamed Mohamud Tima'adde.

Observations

387. The Special Rapporteur regrets that no response has been received to any of the three communications sent during the present reporting period. She considers the allegations very serious and trusts that responses will be provided shortly.

388. The Special Rapporteur is gravely concerned about the safety and the physical and psychological integrity of human rights defenders, including media workers reporting on human rights issues in Somalia. She is particularly concerned about what appears to be a pattern of assasinations of journalists and human rights defenders, many of which have been committed with impunity. She expresses her sincere hope that these cases will be duly investigated, that perpetrators will be brought to justice and that the families of the victims that were killed will obtain adequate redress. In this regard, she would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

Sri Lanka

389. JAL 29/12/2011[58] Case no.: LKA 11/2011 State reply: 23/12/2013

Allegations of detention and acts of intimidation against a group of human rights and political activists who were planning to attend a peaceful protest in Jaffna on the occasion of Human Rights Day.

[58] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

390. JUA 12/09/2012[59] Case no.: LKA 4/2012 State reply: 19/06/2013

Allegations of violations against human rights defenders, including attempted abduction, surveillance and intimidation.

391. JUA 10/12/2012 Case no: LKA 6/2012 State reply: 12/12/2012
15/02/2013

Alleged unlawful arrest of members of the Asian Federation Against Involuntary Disappearances (AFAD) in Colombo.

392. JUA 14/01/2013 Case no: LKA 1/2013 State reply: 14/01/2013

Alleged attack on human rights defender.

393. JAL 05/04/2013 Case no: LKA 3/2013 State reply: none to date

Allegations of undue obstruction to the travel of about 600 human rights defenders, including relatives of disappeared persons, from Vavuniya to Colombo to attend a peaceful demonstration.

394. JUA 26/11/2013 Case no: LKA 5/2013 State reply: none to date

Alleged death threats against a human rights defender broadcast by State media.

Observations

395. The Special Rapporteur thanks the Government of Sri Lanka for its responses to the communication sent on 10 December 2012 and on 14 January 2013, and she thanks the Government for the two responses to communications dating from the previous reporting period (dated 29 December 2011 and 12 September 2012).[60] However, the Special Rapporteur regrets that no response was received to the two most recent communications sent during the present reporting period.

396. The Special Rapporteur expresses grave concern regarding reports received of stigmatising remarks and death threats against human rights defenders in the media. She also expresses concern regarding reports received of arrests and attacks of human rights defenders and allegations of human rights defenders being prevented from attending peaceful demonstrations. The Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

397. The Special Rapporteur regrets that so far no reply has been received in response to her requests to visit Sri Lanka (2008, 2010) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

Sudan

398. JAL 17/01/2013 Case no: SDN 1/2013 State reply: 15/03/2013

Alleged arbitrary closure of several human rights associations.

[59] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

[60] A/HRC/22/47/Add.4, para. 378 and 380

399. JUA 16/04/2013 Case no: SDN 4/2013 State reply: 22/08/2013

Alleged torture, incommunicado detention and subsequent risk of further torture and ill-treatment.

400. JAL 15/08/2013 Case no: SDN 6/2013 State reply: none to date

Alleged negative consequences of the amendment to the Legislation on the Armed Forces of 2007 on the right to fair trial and due process, freedom of expression, the rights to liberty and security, the right to be free from torture and ill-treatment, and the right to life.

401. JUA 17/10/2013 Case no: SDN 7/2013 State reply: none to date

Alleged serious violation of international human rights standards.

Observations

402. The Special Rapporteur welcomes the Government of Sudan's detailed responses to the communications dated 17 January 2013 and 16 April 2013. However, she regrets that no response has been received to the remaining communications sent during the reporting period. She trusts that responses will be provided shortly to these communications given the seriousness of the allegations addressed therein.

403. The Special Rapporteur wishes to reiterate her concerns regarding the arbitrary closure of several human rights associations in Sudan. She also remains gravely concerned regarding reports that she has received of ill-treatment, torture and incommunicado detention of protesters.

404. The Special Rapporteur is extremely concerned by the reports received of excessive and disproportionate use of force by national security forces during a number of demonstrations in September and October 2013, as mentioned in the communication dated 17 October 2013. This led to the deaths of an estimated 200 demonstrators by gunshot wounds, including children and individuals filming the demonstrations, as well as the arrest of an estimated 800 demonstrators. She expresses her sincere hope that these cases will be duly investigated, that perpetrators will be brought to justice and that the families of the victims that were killed will obtain adequate redress. In this regard, the Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders.

405. Furthermore, she is also concerned about information received of restrictions of freedom of expression, including censorship and suspension of newspapers and interrogation of journalists reporting on these demonstrations..

406. The Special Rapporteur also expresses her concerns regarding the amendment of Sudan's Armed Forces Law of 2007 which subjects civilians to the jurisdiction of military courts and the creation of new offences such as "undermining the constitutional system" and "publication of false news". She encourages the Constitutional Court of Sudan to examine the legislation in terms of its compatibility with the Sudan's Bill of Rights, as well as international human rights standards.

Sweden

407. JUA 01/02/2013 Case no: SWE 1/2013 State reply: 08/02/2013
12/04/2013

Alleged imminent deportation of a human rights defender and blogger to the Islamic Republic of Iran.

496. JUA 02/05/2013 Case no: SWE 2/2013 State reply: 14/06/2013

Alleged imminent deportation of a journalist asylum-seeker, who may be at risk of being tortured and killed by the Taliban, if forcibly returned to Afghanistan.

Observations

408. The Special Rapporteur would like to thank the Government for the detailed responses provided to the two communications sent during the reporting period. She takes note that the human rights defender and blogger at risk of being deported to the Islamic Republic of Iran has been granted a permanent residence permit. Regarding the case of the journalist at risk of being deported to Afghanistan, she takes note of the measures available for protection of those who claim to be victims of persecution and torture and who seek asylum in Sweden.

Syrian Arab Republic

409. JUA 02/11/2012[61] Case no.: SYR 9/2012 State reply: 06/06/2013

Allegations of arbitrary arrests, incommunicado detention, killings and torture.

410. JAL 21/02/2013 Case no: SYR 1/2013 State reply: none to date

Alleged torture and death of a human rights activist by Air Force Intelligence in Mezze, Syrian Arab Republic.

411. JUA 13/05/2013 Case no: SYR 2/2013 State reply: none to date

Alleged enforced disappearance, torture, incommunicado detention and denial of medical treatment.

412. JUA 28/06/2013 Case no: SYR 3/2013 State reply: none to date

Alleged acts of reprisal, incommunicado detention and torture and ill-treatment of human rights defenders for their cooperation with the United Nations, its representatives and mechanisms in the field of human rights.

Observations

413. The Special Rapporteur regrets that, at the time of the finalisation of this report, the Government had not responded to any of the three communications sent during the present reporting period. She considers the allegations very serious as they refer to grave violations of a number of human rights andshe trusts that a substantive response will be provided shortly. The Special Rapporteur thanks the Government for the response to her communication sent during the previous reporting period regarding allegations of killings, torture arrests and incommunicado detention of human rights defenders (dated 2 November 2012)[62]. She takes note of the information that Mr. Maher Fawzi al-Hamoud was released on 7 November 2012 However, she remains gravely concerned regarding the situation of the other individuals that were listed in this communication.

414. The Special Rapporteur is gravely concerned for the physical and psychological integrity of human rights defenders in the Syrian Arab Republic, particularly in light of the

[61] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

[62] A/HRC/22/47/Add.4, para. 407

numerous reports received of enforced disappearances, incommunicado detention, ill-treatment, torture and killings of human rights defenders. She expresses her sincere hope that these cases will be duly investigated, that perpetrators will be brought to justice and that the families of the victims that were killed will obtain adequate redress. In this regard, the Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

415. The Special Rapporteur expresses particular concern that some of the cases ofincommunicado detention, ill-treatment and torture of human rights defenders could be considered as reprisals for their cooperation with UN human rights mechanisms. In this regard, she strongly urges the Government to ensure that human rights defenders can carry out their legitimate activities in a safe and an enabling environment; this includes through open and unhindered access to international human rights bodies such as the United Nations, its mechanisms and representatives in the field of human rights, without fear of harassment, stigmatisation or criminalisation of any kind.[63]

416. The Special Rapporteur regrets that to date no reply has been received in response to her requests to visit the Syrian Arab Republic (2008, 2010) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

Thailand

417. JAL 09/01/2013 Case no: THA 1/2013 State reply: 20/03/2013

Alleged killing of two women human rights defenders.

418. JAL 02/04/2013 Case no: THA 3/2013 State reply: 02/07/2013

Alleged killing of an environmental rights defender.

419. JAL 26/04/2013 Case no: THA 4/2013 State reply: 03/05/2013; 06/08/2013

Alleged criminal charges brought against a human rights defender.

420. JAL 28/05/2013 Case no: THA 5/2013 State reply: 14/10/2013

Allegations of threats intimidating human rights defenders contained in a statement made by Thailand's Deputy Prime Minister prior to the 2nd Asia-Pacific Water Summit.

Observations

421. The Special Rapporteur thanks the Government for the detailed responses received from the Royal Thai Government to all of the four communications issued during the reporting period. The Special Rapporteur welcomes the Royal Thai Government's assurance that it is committed to the protection and promotion of all human rights defenders in Thailand. Following reports of killings and and allegations of threats against human rights defenders, the Special Rapporteur would like to express her concern regarding the physical and psychological integrity of human rights defenders in Thailand. In this regard, the Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

[63] A/HRC/RES/22/6/OP13

422. The Special Rapporteur regrets that so far no reply has been received in response to her requests to visit Thailand (2010, 2012) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

Tunisie

423. JAL 05/12/2012 Case no: TUN 6/2012 State reply 25/11/2013

Allégations d'assassinat d'un activiste politique et syndicaliste.

Observations

424. La Rapporteuse spéciale remercie le Gouvernement de la Tunisie des informations fournies dans la réponse à sa communication envoyée pendant la période couverte par le présent rapport. Elle prend note du fait que l'enquête sur le meurtre de M. Mohamed Lotfi Naguedh est toujours en cours et espère recevoir plus de détails dès qu'ils seront mis à disposition. La Rapporteuse spéciale veut souligner que les allégations reçues sont très sérieuses et qu'elle veut croire que des enquêtes seront dûment menées, que les auteurs seront traduits en justice et que la famille de la victime obtiendra une réparation adéquate.

Turkey

425. JUA 15/03/2013 Case no: TUR 1/2013 State reply: 24/09/2013

Alleged arrest, detention and conviction of human rights defenders.

426. JUA 14/06/2013 Case no: TUR 3/2013 State reply: 06/09/2013

Allegations of excessive use of force during peaceful protests.

427. JUA 14/08/2013 Case no: TUR 4/2013 State reply: none to date

Alleged attacks against the independence of the legal profession, in particular alleged the arrest, detention and launching of criminal proceedings against lawyers in the context of antiterrorism operations.

Observations

428. The Special Rapporteur would like to thank the Government for the replies received to two of the three communications sent during the reporting period. She nevertheless regrets that, at the time of finalising this report, no response had been received to her communication dated 14 August 2013.

429. The Special Rapporteur takes note of the detailed response received concerning the protest that took place around Istanbul's Gezi Park in May 2013 and the police intervention in connection to the mentioned protest. She nevertheless would like to underline that the right to protest is an essential element in any democratic dispensation and restrictions imposed on this right should be closely scrutinised with respect to their necessity and proportionality. States have a positive duty to protect assemblies that are peaceful, and assemblies that are threatened with violence should be assured protection and not prohibited or dissolved. Mindful that assemblies can be a source of disruption of daily routines, the Special Rapporteur believes that authorities should try to balance the

competing needs of the different users of public space rather than restricting the rights of those participating in public demonstrations.[64]

430. The Special Rapporteur remains concerned about attacks against the independence of the legal profession, in particular alleged arrests, detention and launching of criminal proceedings against lawyers in the context of antiterrorism operations linked to the contacts they had with their clients within the scope of their professional duties and the legitimate exercise of their profession. These concerns were expressed in her communication dated 14 August 2013 as well as in previous urgent appeals in 2011 and 2012 (TUR 6/2011;1/2012).[65]

431. The Special Rapporteur would like to thank the Government for responding favourably to her request to visit the country (2012) and reiterates her hope that authorities will provide the mandate with sufficient time for the visit in order to allow it to adequately assess the situation of defenders.

Uganda

433. JAL 21/02/2013 Case no: UGA 6/2012 State reply: none to date

Allegations that the draft "anti-homosexuality legislation" in Uganda would criminalise "any form of homosexual" act or "attempt to commit a homosexual act, including consensual sex between same-sex individuals".

Observations

434. The Special Rapporteur wishes to express her regret that, at the time of the finalisation of this report, the Government had not responded to the communication she sent during the reporting period.

435. The Special Rapporteur deeply regrets the signing of the Anti-Homosexuality Act on 24 February 2014. She is concerned that this Act will prevent human rights defenders and activists defending the human rights of lesbian, gay, bisexual and transgender (LGBT) persons, to peacefully advocate for dissenting views and exercise their legitimate rights. She also fears that the Act might trigger attacks against and have an intimidating effect on individuals and associations working on issues related to the rights of LGBT persons, including among others those who advocate for human rights for all without discrimination, those who work on preventing the transmission of HIV and those who provide psychosocial support to LGBT people.

Ukraine

436. JAL 21/12/2012 Case no: UKR 3/2012 State reply: 18/03/2013

Alleged attack against LGBT rights defenders.

437. JUA 22/07/2013 Case no: UKR 2/2013 State reply: 05/09/2013

Alleged forced psychiatric treatment and confinement of human rights defender.

[64] A/61/312, paras 53-56 and 81

[65] A/HRC/22/47/Add.4, para. 422 and 424

Observations

438. The Special Rapporteur thanks the Government for the responses to the two communications sent during the reporting period.

439. The Special Rapporteur is particularly concerned by the alleged forced psychiatric treatment and confinement of Ms. Raisa Radchenko without a document confirming a court order, as mentioned in the communication dated 22 July 2013. Further concern is expressed at the treatment of Ms. Radchenko's family and the information received alleging that the court order to treat and confine Ms. Radchenko may have been issued on the basis of alleged anti-social behaviour, reportedly related to her peaceful and legitimate human rights work.

440. The Special Rapporteur is concerned by the threats to and harassment of LGBT rights defenders in Ukraine, as mentioned in the communication dated 21 December 2012, and reiterates her concerns about the treatment of LGBT community under Draft Law 8711. This legislation criminalises any reference to homosexuality in the media and public domain and makes "promoting homosexuality" an administrative offence, punishable by a fine. Draft Law 8711 also includes homosexuality within a list of offences that "propagandise violence and cruelty", which carries a prison sentence up to five years. In this connection, the Special Rapporteur expresses serious concern over the attack of protestors in the presence of police officers at a LGBT demonstration on 8 December 2012 in Kyiv. She is very concerned about the court order from the Kyiv District Administrative Court banning the protest, and regrets that the legal grounds for this court order were not divulged in the Government's response dated 18 March 2013.

441. Regarding the recent wave of political protests and unrest in the country, the Special Rapporteur would like to echo the United Nations High Commissioner for Human Rights in expressing her concern about clashes and violence during demonstrations,[66] which have caused a number of casualties and left many injured, including journalists monitoring and reporting about the demonstrations. She trusts that constructive dialogue and restraint will be used by State security forces and all parties involved in order to avoid further escalation of unrest.

United Arab Emirates

442. JUA 07/11/2012[67] Case no.: ARE 7/2012 State reply: 26/03/2013

Alleged mass arrest and detention of human rights defenders, judges and lawyers.

443. JAL 04/12/2012 Case no: ARE 8/2012 State reply: none to date

Alleged violation of the right to freedom of opinion and expression, right to freedom of peaceful assembly and to freedom of association due to the adoption on 12 November 2012 of Federal Legal Decree No. 5/2012, amending the 2006 Cybercrime Law.

444. JUA 16/04/2013 Case no: ARE 1/2013 State reply: 10/06/2013

Alleged trial against 94 human rights defenders and other civil society activists, with allegations of torture and violations of fair trial standards, and the sentencing of a human rights defender for publishing information on that trial.

[66] "New laws could seriously curtail fundamental human rights in Ukraine – Pillay" (16/01/2014) http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14187&LangID=E

[67] Although this communication was sent before the reporting period, a reply was received during the period covered by this report.

445. JUA 20/06/2013 Case no: ARE 3/2013 State reply: none to date

Alleged physical attack and acts of intimidation and reprisal against Mr Ahmed Mansoor for having cooperated with the United Nations, its representatives and mechanisms in the field of human rights

446. JUA 06/08/2013 Case no: ARE 4/2013 State reply: 20/11/2013

Alleged sentencing of 69 of the 94 individuals arrested, including human rights lawyers, judges, academics and student leaders, reported irregularities in their trial, and allegations of torture whilst in detention.

447. JUA 07/11/2013 Case no: ARE 5/2013 State reply: none to date

Alleged implementation of the new law on Cyber Crime as well as alleged torture of detainees.

Observations

448. The Special Rapporteur welcomes the responses of the Government of United Arab Emirates to two of the five communications issued within the present reporting period, as well as the response to the communication from the previous reporting period (dated 7 November 2012).[68] She considers all of the allegations very serious as they refer to undue restrictions on a number of rights and freedoms which are fundamental to the activities of human rights defenders, and trusts that a substantive response will be provided shortly to the remaining three communications from this reporting period.

449. The Special Rapporteur would like to reiterate profound concern about the situation of human rights defenders in the United Arab Emirates, particularly due to reports received that indicate a pattern of harassment, arbitrary detention, enforced disappearances and prison sentences targeting human rights defenders legitimately exercising their right to freedom of expression and freedom of association. She remains concerned regarding reports that she has received of torture and violations of minimum fair trial standards.

450. The Special Rapporteur would also like to reiterate her concerns regarding the amendments to the 2006 Law on Cybercrime and the use of this law to silence critical voices calling for basic rights and freedoms and democracy in the United Arab Emirates.

451. The Special Rapporteur also expresses grave concern at the physical attack and acts of intimidation against a human rights defender following a statement that he made by video during the 21st Session of the Human Rights Council. In this regard, she strongly urges the government of United Arab Emirates to ensure that human rights defenders can carry out their legitimate activities in a safe and an enabling environment; this includes through open and unhindered access to international human rights bodies such as the United Nations, its mechanisms and representatives in the field of human rights, without fear of harassment, stigmatisation or criminalisation of any kind.[69]

452. The Special Rapporteur regrets that so far no reply has been received in response to her request to visit the United Arab Emirates (2012) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

[68] A/HRC/22/47/Add.4, para. 445
[69] A/HRC/RES/22/6/OP13

United States of America

453. JAL 27/12/2012 Case no: USA 25/2012 State reply: none to date

Alleged limitations on access to justice for migrant farmworkers in fourteen states of the U.S.A.

454. JAL 04/12/2012 Case no: USA 33/2012 State reply: none to date

Alleged arson attack against the offices of non-governmental organisation Women with a Vision (WWAV).

Observations

455. The Special Rapporteur regrets that, at the time of finalising this report, no response had been received to the two communications sent during the reporting period. Moreover, she did not receive a response to the communication sent during the previous reporting period (USA 24/2011).[70] She considers the allegations addressed therein as very serious and trusts that a response will be provided shortly.

Uzbekistan

456. JAL 05/07/2013 Case no: UZB 1/2013 State reply: 06/09/2013

Alleged denial of entry and deportation of human rights defender Ms Tolekan Ismailova, a Kyrgyz citizen, Director of the Human Rights Centre "Citizens Against Corruption" (CAC) in Kyrgyzstan, and FIDH Vice President.

457. JAL 31/10/2013 Case no: UZB 4/2013 State reply: none to date

Alleged arrest and administrative detention of an independent journalist.

Observations

458. The Special Rapporteur thanks the Government for the response provided to one of the two communications sent during the reporting period but regrets that, at the time of finalising this report, the translation into English was not available. She trusts she will receive a response to the remaining communication, given the seriousness of the allegations presented.

459. The Special Rapporteur is very concerned about credible reports and information received regarding the continous harassment, detention, and prosecution of human rights defenders in connection to their work, including journalists. Defenders are routinely monitored by security officers, questioned, placed under house arrest or prevented from taking part in peaceful demonstrations.

460. The Special Rapporteur would like to reiterate her availability to provide guidance and support to the Government in any issue related to the establishment and consolidation of a safe and enabling environment for human rights defenders, including through the establishment of a conducive legal, institutional and administrative framework.

Venezuela

461. JUA 25/01/2013 Case no: VEN 1/2013 State reply: none to date

Presunta violación sexual y agresiones sufridas por una Jueza.

[70] A/HRC/22/47/Add.4, para. 450

462. JAL 05/04/2013 Case no: VEN 3/2013 State reply: none to date

Supuesto asesinato de un líder indígena.

463. JAL 19/11/2013 Case no: VEN 7/2013 State reply: none to date

Presuntas restricciones indebidas al trabajo de organizaciones de la soviedad civil.

Observaciones

464. La Relatora Especial lamenta que, en el momento de finalizar el presente informe, no se había obtenido respuesta a las tres comunicaciones enviadas durante el periodo del presente informe. Asimismo, toma nota de la falta de respuesta a las cuatro comunicaciones que no obtuvieron respuesta durante el periodo anterior.[71] La Relatora considera que las alegaciones recibidas son muy serias y confía en que serán debidamente investigadas, los culpables llevados ante la justicia y las víctimas recibirán reparación adecuada.

465. La Relatora se muestra preocupada por las recientes modificaciones hechas al Código Penal Venezolano las cuales afectarían negativamente a los defensores y defensoras de derechos humanos que trabajan por los derechos de las víctimas de violaciones conectadas con la conducta de funcionarios públicos y las fuerzas del orden.

466. En este contexto, la Relatora Especial hace eco de las declaraciones de la Alta Comisionada de las Naciones Unidas para los Derechos Humanos y la Comisión Interamericana de Derechos Humanos y querría expresar su profundo pesar por la entrada en vigor de la denuncia de la Convención Americana sobre Derechos Humanos respecto del Estado venezolano el 10 de septiembre de 2013. Le preocupa el impacto que dicha denuncia tendrá sobre la situación de las víctimas de violaciones de derechos humanos ocurridas después de esa fecha y los que trabajan por sus derechos y contra la impunidad, ya que dichas violaciones no podrán ser conocidas por la Corte Interamericana de Derechos Humanos. Esta decisión representa un retroceso lamentable en la universalización de la protección y promoción de los derechos humanos y las libertades fundamentales y contraviene resoluciones adoptadas por el Consejo de Derechos Humanos de la ONU sobre cooperación entre mecanismos regionales e internacionales por lo que la Relatora invita al Estado a reconsiderarla.[72]

467. La Relatora Especial reitera que confía en que el Gobierno responderá favorablemente a su solicitud de visita hecha en 2010 para valorar objetivamente la situación de los y las defensoras de derechos humanos en el país.

Viet Nam

468. JUA 21/12/2012 Case no: VNM 5/2012 State reply: 28/02/2013

Alleged trial and imprisonment of two songwriters.

469. JUA 14/01/2013 Case no: VNM 1/2013 State reply: 21/03/2013; 27/08/2013

Alleged sentencing and detention of pro-democracy activists.

[71] A/HRC/22/47/Add.4, paras. 458-459, 461-462

[72] "Pillay insta a Venezuela a reconsiderar su salida de la Convención Americana sobre Derechos Humanos" (11/09/2012): http://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=12500&LangID=S; "CIDH manifiesta su profunda preocupación por efecto de la denuncia de la Convención Americana por parte de Venezuela" (10/09/2013): http://www.oas.org/es/cidh/prensa/comunicados/2013/064.asp

470. JUA 01/02/2013 Case no: VNM 2/2013 State reply: 03/04/2013

Alleged detention of prominent blogger in a mental health institution without judicial process.

471. JUA 07/02/2013 Case no: VNM 3/2013 State reply: 08/04/2013

Allegations of conviction of 22 members of the "Bia Son Council for Public Law and Affairs".

472. JAL 12/04/2013 Case no: VNM 4/2013 State reply: 02/07/2013

Alleged harassment and threats against a Buddhist activist, writer and human rights defender.

473. JUA 07/08/2013 Case no: VNM 5/2013 State reply: 11/10/2013

Alleged arbitrary detention, torture and denial of medical care.

474. JUA 20/09/2013 Case no: VNM 6/2013 State reply: none to date

Alleged arbitrary arrest and detention of three labour rights activists, and alleged torture and denial of medical treatment to one of them.

475. JUA 01/10/2013 Case no: VNM 7/2013 State reply: 10/01/2014

Alleged legislative amendments which would lead to severe restrictions on the right to freedom of opinion and expression online.

Observations

476. The Special Rapporteur welcomes the responses to seven of the eight communications that were sent during the reporting period and she looks forward to receiving responses to the remaining communication. Nonetheless, she remains concerned for the physical and psychological integrity of human rights defenders in Viet Nam. The Special Rapporteur expresses particular concern over the allegations of torture and ill-treatment of human rights defenders and denial of medical treatment whilst in detention. She is also concerned regarding reports of violations of the right to fair trial.

477. The Special Rapporteur remains concerned by reports received of peaceful human rights defenders and pro-democracy activists being convicted and sentenced on charges of "carrying out activities aimed at overthrowing the people's administration" under Section 79 of the Penal Code. She also expresses concern at the sentencing of musicians with the verdict of "Conducting propaganda against the Socialist Republic of Viet Nam" for publishing songs online about social and human rights issues. In this regard, the Special Rapporteur would like to reiterate her concerns regarding what she views as a pattern of targeting, intimidating and silencing peaceful pro-democracy actvists and human rights defenders who exercise their right to freedom of opinion and expression and their right to freedom of association in the country. In this regard, the Special Rapporteur would like to reiterate that the State has a duty to protect and to provide a safe and enabling environment for human rights defenders to conduct their work.

478. The Special Rapporteur also wishes to reiterate her concern regarding the adoption of the *Decree on the Management, Provision, Use of Internet Services and Information Content Online (No. 72/2013/ND-CP)* ('Decree 72') and she encourages the Government to ensure that Decree 72 does not restrict the peaceful work of human rights defenders in Viet Nam.

479. The Special Rapporteur regrets that to date no reply has been received in response to her request to visit Viet Nam (2012) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the

Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

Zambia

480. JAL 14/05/2013 Case no: ZMB 1/2013 State reply: 13/08/2013
28/08/2013

Alleged criminal charges against human rights defenders and alleged Government campaign against defenders working on Lesbian, Gay, Bisexual, Transgender and Intersex rights.

481. JAL 21/10/2013 Case no: ZMB 2/2013 State reply: none to date

Alleged undue interference with the work and organizational structure of civil society organizations

Observations

482. The Special Rapporteur welcomes the response from the Zambian Government to her communication dated 14 May 2013 and its assurances that consultations are being undertaken and that a response will be provided as soon as all information has been collated. She trusts that a substantive response will be provided shortly to the concerns raised therein regarding allegations of harassment of the LGBTI community and in particular those working peacefully to ensure the basic rights of LGBTI individuals.. The Special Rapporteur regrets that she has not received a reponse to the other communication sent during the reporting period.

483. The Special Rapporteur remains concerned that the Non-Governmental Organisation Bill may be used to unduly interfere with the substantive work and organisational structure of civil society organisations and that the unclear provisions and severe criminal sanctions within the Bill may deter human rights defenders from exercising their fundamental right to freedom of association. In this regard, the Special Rapporteur calls on the Government to ensure that human rights defenders can conduct their peaceful and legitimate work in Zambia without fear of harassment, stigmatisation or criminalisation of any sort.

Zimbabwe

484. JAL 21/02/2013 Case no: ZWE 1/2013 State reply: none to date

Allegations of repeated acts of harassments against civil society actors, mostly working on human rights issues.

485. JUA 21/03/2013 Case no: ZWE 2/2013 State reply: 26/03/2013
21/05/2013

Alleged arbitrary detention of a human rights lawyer.

486. JAL 08/10/2013 Case no: ZWE 3/2013 State reply: 24/10/2013

Alleged excessive use of force by police and arbitrary arrest of individuals exercising their right to freedom of peaceful assembly.

Observations

487. The Special Rapporteur welcomes the response from the Government of Zimbabwe to the communication dated 21 March 2013. She takes not of the acknowledgemnt of receipt to the communication dated 8 October 2013 and trusts that a substantive

communication will be provided shortly. She regrets that she has not received a response to the third communication sent during the reporting period.

489. The Special Rapporteur expresses grave concern that repeated searches of human rights organisations may form part of a campaign of harassment aimed at targeting and silencing civil society actors that has continued since the previous reporting period. Furthermore, she remains concerned at the situation of human rights lawyers in Zimbabwe, such as Ms. Beatrice Mtetwa, who has been the subject of three communications since 2004, including the communication dated 21 March 2013 (ZWE 16/2004; 6/2007; 2/2013). Ms. Mtetwa has reportedly been harassed by Zimbabwean police for carrying out her duties as a human rights lawyer. In this regard, the Special Rapporteur urges the Government of Zimbabwe to ensure the protection of human rights defenders and to provide a safe and enabling environment for them to conduct their work.

490. The Special Rapporteur would like to reiterate that human rights defenders "must be protected by the Government and attempts to stifle criticism must end"[73] as expressed in a the press statement dated 27 February 2013, which was issued jointly with the Special Rapporteur on the right to peaceful assembly and of association and the Special Rapporteur on the right to freedom of opinion and expression She expresses grave concern that the allegations of attacks against civil society actors have coincided with participatory democratic processes, such as upcoming elections and the constitutional referendum. She is particularly concerned about allegations of excessive use of force by law enforcement officials during peaceful demonstrations and the arbitrary arrest of protesters.

491. The Special Rapporteur regrets that so far no reply has been received in response to her multiple requests to visit Zimbabwe (2008, 2010, 2011) to enable her to gain a better understanding of the situation of human rights defenders in the country. She expresses her hope that the Government will respond favourably to this request and she remains available to provide guidance and assistance the Government might require.

Other

492. JAL 10/01/2013 Case no: KSV 1/2012 State reply: 26/03/2013

Alleged physical attacks and threats against lesbian, gay, bisexual, and transgender (LGBT) rights defenders, including members of the organisations Kosovo 2.0 and Libertas.

Observations

493. The Special Rapporteur thanks the Government for the response received to the communication sent during the reporting period. She takes note of the fact the Government shares the concerns expressed in this allegations letter and that it condemned the incident when it happened. She is reassured by the information provided indicating that the corresponding investigation is underway and victims have been offered support and protection.

[73] "Zimbabwe must respect fundamental freedoms in run-up to constitutional referendum," warn UN rights experts (27/02/2013)